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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

JAN 15 2013

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Tuesday, January 8, 2013 - 12:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Inaugural Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, CARMEN CHU,
MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Wiener, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 12:04 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board Members that she had received a communication from the Director of Elections, certifying the candidates for the Office of Members of the Board of Supervisors who received a plurality of votes cast at the election held on November 6, 2012, who, therefore, have been declared elected to that office, namely:

David Campos
Eric Mar
John Avalos
David Chiu
Norman Yee
London Breed

Additionally, Ms. Calvillo informed the Board Members that she had received a communication from the Controller, confirming that certificiation of surety bond requirements were established for all newly elected and continuing Supervisors pursuant to San Francisco Administrative Code Article IX, Section 16.122(a)(e).

OATH OF OFFICE

President David Chiu introduced Cynthia Ming-mei Lee, Presiding Judge, Superior Court of California, County of San Francisco, who requested the Board Members to stand, whereupon Judge Lee admistered the oath of office.

NOMINATIONS FOR PRESIDENT OF THE BOARD

Supervisor Yee, seconded by Supervisor Wiener, nominated Supervisor Chiu.
Supervisor Kim, seconded by Supervisor Campos, nominated Supervisor Cohen.
Supervisor Cohen, seconded by Supervisor Avalos, nominated Supervisor Kim.

The President asked if there were any further nominations. There being no response, the nominations for President of the Board of Supervisors were then closed.

GENERAL PUBLIC COMMENT

Abdallah Megahed; expressed various concerns and indicated support of the individual nominees for Board President.
Asha Bodell; spoke indicating support of the individual nominees for Board President.
Francisco Da Costa, expressed various concerns and indicated support of the individual nominees for Board President.
Tina Moylan; spoke indicating support of the individual nominees for Board President.
Maggie Scott; spoke indicating support of the individual nominees for Board President.
Female Speaker; spoke indicating support of the individual nominees for Board President.
Michael Naltee; spoke indicating support of the individual nominees for Board President.
Ernestine Weiss; expressed concerns relating to 8 Washington Project and indicated support of the individual nominees for Board President.
Female Speaker; spoke indicating support of the individual nominees for Board President.
James Chaffee; expressed concerns relating to the SF Public Library and indicated support of the individual nominees for Board President.
Female Speaker; expressed concerns relating to viable renewable resources and various religious concerns.
Male Speaker; spoke indicating support of the individual nominees for Board President.
Ross Rhodes; expressed concerns relating to foreclosures and indicated support of the individual nominees for Board President.
Jasmine Sullivan; expressed various concerns and indicated support of the individual nominees for Board President.
Clinton Faye; spoke indicating support of the individual nominees for Board President.
Cathy Linze; spoke indicating support of the individual nominees for Board President.
Larry J. Edmond; expressed various concerns and indicated support of the individual nominees for Board President.
William Walker; spoke indicating support of the individual nominees for Board President.
Female Speaker; spoke indicating support of the individual nominees for Board President.
Male Speaker; expressed concerns relating to public nudity and career politicians.
Anthony Balstow; expressed concerns relating to MTA and indicated support of the individual nominees for Board President.
Anaconda; spoke indicating support of the individual nominees for Board President.
Julie Fisher; spoke indicating support of the individual nominees for Board President.
Peter Warfield; expressed concerns relating to the SF Public Library, public comment, and indicated support of the individual nominees for Board President.
Joline Fernes-Jackson; spoke indicating support of the individual nominees for Board President.
Male Speaker; spoke indicating support of the individual nominees for Board President.
Ace Washington; expressed various concerns and indicated support of the individual nominees for Board President.
Joseph Garcia; expressed concerns relating to people of color and indicated support of the individual nominees for Board President.

ELECTION OF THE PRESIDENT OF THE BOARD

Supervisor Kim did not accept her nomination for President of the Board of Supervisors.
Supervisor Cohen did not accept her nomination for President of the Board of Supervisors.

The roll was called on the nomination of Supervisor Chiu.

Round 1 - Motion to elect President of the Board of Supervisors PASSED by the following vote:
Supervisor Chiu: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

PRESIDENT ASSUMES THE CHAIR
President Chiu remained in the President's Chair.

REMARKS FROM THE MAYOR

President David Chiu introduced the Honorable Mayor Edwin L. Lee who congratulated the newly elected and re-elected members of the Board of Supervisors.

REMARKS BY THE MEMBERS OF THE BOARD

Each member of the Board of Supervisors was called and afforded an opportunity for brief remarks and for introduction of family members or guests in attendance.

REMARKS BY THE PRESIDENT OF THE BOARD

President acknowledged the presence of the following elected officials, representatives of elected officials, and various City Department heads:

Mayor Edwin L. Lee
Former Board of Supervisors Anne Marie Conroy, Carole Ruth Silver, Mabel Teng, and Chris Daly
City Attorney Dennis Herrera
Treasurer Jose Cisneros
Public Defender Jeff Adachi
Sheriff Ross Mirkarimi
Office of the Mayor's Chief of Staff Steve Kawa
Police Chief Greg Suhr
Fire Chief Joanne Hayes-White
Controller Ben Rosenfield
City Administrator Naomi Kelly
Municipal Transportation Agency Director Ed Reiskin
Recreation and Park General Manager Phil Ginsburg
Port Director Monique Moyer
Department of Building Inspection Acting Director Tom Hui
Chief Probation Officer William Siffermann
Office of Civic Engagement and Immigrant Affairs Executive Director Adrienne Pon
Budget and Legislative Analyst Harvey Rose
Board of Education Member Hydra Mendoza
Former Director of the Redevelopment Agency Leroy King

President Chiu gave his commitment to working with the members of the Board of Supervisors, City Agency Departments, and the public in addressing issues which impact the citizens of San Francisco.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:28 p.m.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

121190 [Settlement of Lawsuit - Bryan Vestal - $420,000]

Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for $420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of $110,098.30. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]

Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings and findings of consistency with General Plan. (City Administrator)

12/11/12; RECEIVED FROM DEPARTMENT.

12/27/12; REFERRED TO DEPARTMENT.

01/08/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/7/2013.

121226 [Settlement of Lawsuit - Sandra Ramos - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for $60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to $2,500 for services of an organizational consultant. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121227 [Settlement of Lawsuit - Health Net - City to Receive $800,000 and Future Payments]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of $800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121228 [Settlement of Lawsuit - Brendan Cadam - $42,500]

Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for $42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121229 [Settlement of Lawsuit - Maya Vlanin - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for $95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

121161 [Settlement of Claim - Crystal Cheung - $110,000]

Resolution approving the proposed settlement of claim by Crystal Cheung against the City and County of San Francisco for $110,000; the claim was filed on January 24, 2012, bearing Claim No. 12-01653. (City Attorney)

12/27/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Rules Committee.

121191 [Airport Concession Lease - Avila Retail Development and Management, LLC]

Resolution approving the Boarding Area "F" Specialty Store Lease between Avila Retail Development and Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for the term of approximately seven years commencing on January 13, 2013, and terminating January 1, 2020. (Airport Commission)

12/06/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121192 [Airport Concession Lease - Host International, Inc.]

Resolution approving the International Terminal and Terminal 3 Newsstands/Café Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for term of approximately ten years commencing on February 1, 2014, and terminating February 1, 2024. (Airport Commission)

12/06/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121193 [Contract Amendment - Renewable Energy and Climate Change Professional Services - $31,400,000]

Resolution approving the Fourth Amendment to the contract with ICF Resources, LLC for Renewable Energy and Climate Change Professional Services, to increase the amount of the contract by $12,400,000 for a total of $31,400,000 and to extend the term of the contract from July 1, 2014, to December 31, 2016. (Environment)

12/11/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121210 [Agreement - Fong and Chan Architects, Inc. - San Francisco General Hospital Rebuild Program]

Resolution ratifying Modification No. 7 to the Architectural and Engineering Design Services Agreement with Fong & Chan Architects, Inc., for the San Francisco General Hospital Rebuild Program from $51,507,500 to $52,521,000 and authorizing the Director of Public Works to execute Modification No. 10 from $52,710,860 to $53,376,607 pursuant to Charter Section 9.118(b). (Public Works Department)

12/03/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121212 [Agreement - Tides Center to Provide Supportive Housing Property Management Services - $42,940,312]

Resolution approving a Second Amendment to the agreement between the Department of Public Health and the Tides Center to provide Supportive Housing Property Management Services at Direct Access to Housing Sites under the Delivering Innovation in Supportive Housing Program, to extend the term by five years and increase the contract by $25,568,499 for a total of $42,940,312. (Public Health Department)

12/17/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121225 [Contract Amendment - Xtech - $90,580,000]

Resolution retroactively authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from $60,490,000 to $90,580,000 with a term of three years through December 31, 2011, with possible extensions through December 31, 2013. (Office of Contract Administration)

12/21/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

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JAN 18 2013

SAN FRANCISCO
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Tuesday, January 15, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, CARMEN CHU,
MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Wiener, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of November 20, 2012, December 4, 2012, and December 11, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Wiener, Yee
Absent: 1 - Mar

Supervisor Mar was noted present at 2:08 p.m.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130031 [Formal Policy Discussions - January 15, 2013]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 4 and 6. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Rising healthcare costs combined with accumulated healthcare liabilities remains a significant fiscal issue for the City. What plans do you have to address this issue? (Supervisor Chu, District 4)

2. As you know, the community in the South of Market and Mid-Market neighborhoods have been eagerly awaiting the opening of the Sixth Street substation, and we want to appreciate the work that Department of Public Works has done to push forward construction. There are remaining concerns about transitioning the substation online, including:

1) Is there a firm date for the opening of the Sixth Street substation?
2) What will the operating hours be?
3) What will be the staffing for the substation and how can constituents expect to access the substation?
4) What will the process be for the San Francisco Police Department to take possession of the Sixth Street substation? (Supervisor Kim, District 6)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

DISCUSSED AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121007 [Electric System and Solar Project Agreement - North Star Solar, LLC]

Ordinance authorizing, pursuant to Charter Section 9.118(a), a System Impact Mitigation Agreement with North Star Solar, LLC, requiring North Star Solar, LLC, to pay the Public Utilities Commission the costs necessary to mitigate the impacts to the City's electric system caused by the interconnection of North Star Solar, LLC's solar project to the electric grid; authorizing similar mitigation agreements with other projects in the future; appropriating funds from these agreements to pay the costs of mitigation work; and placing various mitigation funds on reserve with the Board of Supervisors. (City Attorney's Office)
(Fiscal Impact)

FINALLY PASSED

121064 [Business and Tax Regulations, Police Codes - Parking Stations - Revenue Control Equipment; License Regulations; Parking Tax Bonds; Administrative Citation Process]

Sponsor: Campos

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 6 (Common Administrative Provisions) to revise the bonding requirements for parking operators; revise the time to bring an action to collect tax; clarify the extent of a surety's liability; revise the administrative citation appeal process; and make other minor technical changes; amending Article 22 (Parking Stations; Revenue Control Equipment) to clarify that non-City governmental entities operating parking stations are exempt from the revenue control equipment requirements; and amending the San Francisco Police Code Article 17 (Miscellaneous License Regulations) to clarify that governmental entities operating parking garages or parking lots are exempt from the permitting requirements applicable to other commercial parking garage and valet operations.

FINALLY PASSED

121139 [Lease and Use Agreement - China Airlines, Limited]

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L10-0082 with China Airlines, Limited, effective January 1, 2013, for administrative office space in the International Terminal at the San Francisco International Airport. (Airport Commission)

ADOPTED

121167 [Accept and Expend Grant - Code for America Labs, Inc. - $105,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Department of Human Services to retroactively accept and expend a grant in the amount of $105,000 from Code for America Labs, Inc., toward the cost of participating in the 2013 Code for America (CfA) Fellowship Program, which has specially selected the Department of Human Services to receive technology design services from CfA to increase access to public benefits by the City's lowest income residents.
(Fiscal Impact)

ADOPTED

Recommendations of the Land Use and Economic Development Committee

120434 [Police Code - Amendments to Junk Dealer and Junk Gatherer Permit Process]

Sponsor: Cohen

Ordinance amending the San Francisco Police Code, Sections 974.1, 974.2, 974.4, 974.8, 974.9, 974.10-1, 974.11, 974.14-1, 974.14-2, 974.21, 974.22, 895, 2.26, 2.27, and repealing Sections 974.5, 974.6, 974.10-2, 974.23 and 896 through 898 to cause all existing junk dealer and junk gatherer permits to expire as of June 30, 2013, establish an annual permit for junk dealers with junk yards and a two-year permit for other junk dealers, provide for permit suspensions and revocations to remain in effect during any administrative appeal, amend the permit enforcement process, and update fees; and making environmental findings.

FINALLY PASSED

120880 [Planning Code - Valencia Street Neighborhood Commercial Transit District]

Sponsor: Campos

Ordinance amending the San Francisco Code, Section 726.52, of the Zoning Control Table, for the Valencia Street Neighborhood Commercial Transit District to permit a personal service use on the third story and above with a Conditional Use Authorization, and make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

FINALLY PASSED

121003 [Street Artist Spaces - Hallidie Plaza - East of 5th Street]

Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th Street, for street artists certified by the Arts Commission; exempting said spaces for one year from the regulations of Police Code Section 2405(c)(3), (4), and (11), relating to size of space and distance between street artists. (Arts Commission)

ADOPTED

Recommendations of the Rules Committee

121155 [Appointment, Pedestrian Safety Advisory Committee - Howard Bloomberg]

Motion appointing Howard Bloomberg, term ending March 28, 2014, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Motion No. M13-001

APPROVED

121157 [Appointments, SoMa Community Stablization Fund Community Advisory Committee - Kristian Joy Ongoco, Allan Manalo, Joel Merchan, Conny Ford, Bernadette Borja Sy, and Thomas Temprano]

Motion appointing Kristian Joy Ongoco and Allan Manalo, terms ending April 27, 2013, and Joel Merchan, Conny Ford, Bernadette Borja Sy, and Thomas Temprano, terms ending April 27, 2014, to the SoMa Community Stablization Fund Community Advisory Committee. (Clerk of the Board)

Motion No. M13-002

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Severed from the Consent Agenda

Supervisor Mar requested that File No. 121042 be severed so that it may be considered separately.

Recommendation of the Public Safety Committee

121042 [Urging the Development of a Workplace Employee Policy on Domestic Violence]

Sponsors: Mar; Cohen, Chiu and Avalos

Resolution urging the Department on the Status of Women to develop and share materials on domestic violence to be shared with City employees and City contractors and grantees.

ADOPTED

The foregoing item was acted upon by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Mar, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

120997 [Appropriating $2,255,000 for San Francisco Unified School District - FY2012-2013]

Sponsors: Kim; Campos, Mar and Avalos

Ordinance appropriating $843,000 of State Reserves and $1,412,000 from School District Set-Aside funds for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)

Supervisor Wiener moved to divide the question relating to separating out appropriation of State revenue funds of $843,000. The question PASSED as divided by the following vote:
Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 4 - Breed, Chu, Farrell, Wiener

FINALLY PASSED AS DIVIDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120704 [Disapproving Street Encroachment - 10 Niantic Avenue]

Resolution upholding Department of Public Works' recommendation for disapproval and disapproving the application for a revocable encroachment permit to Lee Yun Ling & Cindy Zhou, for the occupancy of a portion of the public right-of-way for a new single family dwelling encroaching 3-feet into the public right-of-way at 10 Niantic Avenue (Assessor's Block No. 7178, Lot No. 001), under Article 15, Section 786.7 of the Public Works Code. (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121163 [Accept and Expend Grant - TechSF-Workforce Innovation Partnership and Amendment to the Annual Salary Ordinance - $3,000,000]

Sponsor: Mayor

Ordinance authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $3,000,000 from the Department of Labor for the TechSF-Workforce Innovation Partnership, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FY2012-2013 and FY2013-2014) to reflect addition of one (1) Class 9775 Senior Community Development Specialist II grant-funded position (0.77 FTE) in the Office of Economic and Workforce Development and one (1) Class 1053 IS Business Analyst - Senior grant-funded position (0.77 FTE) in the Department of Technology.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121164 [Accept and Expend Grant - Office of Financial Empowerment Kindergarten to College Outreach Position and Amendment to the Annual Salary Ordinance - Up to $80,000]

Sponsor: Mayor

Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of up to $80,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Kindergarten to College program, and amending Ordinance 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121196 [Accept and Expend Grant - Energy Efficiency Program and Amendment to the Annual Salary Ordinance - $13,100,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $13,100,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to implement an Energy Use and Demand Reduction through Energy Efficiency Program and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of five grant funded positions (5 FTE) at the Department of the Environment, for a term from January 1, 2013, through December 31, 2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121169 [Contract Amendment - Aon Insurance Services West, Inc. - Central Subway Project - Not to Exceed $8,280,000]

Sponsor: Chiu

Resolution approving Amendment No. 2 to Contract No. CS-163-1, Insurance Brokerage Services for an Owner Controlled Insurance Program, to provide Excess Liability Insurance for the Central Subway Project with Aon Risk Insurance Services West, Inc., to obtain and bind a second tier of liability insurance for the amount not to exceed $8,280,000.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121170 [Real Property Lease Amendment - Autodesk, Inc. - Pier 9]

Sponsors: Chiu; Kim

Resolution approving Port Commission's Second Amendment to Lease No. L-15169 with Autodesk, Inc., a Delaware corporation for the lease of office space and unimproved shed space at Pier 9 in the Northern Waterfront with a 120 month term.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120772 [Health, Transportation Codes - Prohibiting Smoking at Certain Outdoor Events]

Sponsors: Mar; Cohen

Ordinance amending the San Francisco Health Code, by adding Article 19L, to prohibit smoking at outdoor events on property owned by the City and County of San Francisco where approval is required under San Francisco Transportation Code Article 6; the San Francisco Transportation Code by amending Sections 6.2 and 6.7 establishing obligations for producers of outdoor events that require approval for temporary use or occupancy of a public street to notify the public that the event is smoke-free; and making environmental findings.

Supervisor Mar, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Farrell requested to be added as a co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120789 [Planning Code - Landmark Designation of 4004-4006 Third Street - Sam Jordan's Bar]

Sponsor: Cohen

Ordinance designating 4004-4006 Third Street (Sam Jordan's Bar), Assessor's Block No. 5253, Lot No. 030, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121061 [Planning Code - Landmark Designation of 401 Castro Street (Twin Peaks Tavern)]

Sponsors: Wiener; Campos

Ordinance designating 401 Castro Street (Twin Peaks Tavern), Assessor's Block No. 3582, Lot No. 71, as a landmark under San Francisco Planning Code, Article 10; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121107 [Health Code - Disclosing Landlord's Prohibition of Smoking in Residential Rental Units; Designating Units as Smoke Free or Smoking Optional]

Sponsors: Mar; Cohen

Ordinance amending the San Francisco Health Code, by adding Article 19M, relating to multi-unit residential rental properties where less than 100 percent of the units are designated as smoke free, to require that owners designate each unit as either smoke free or smoking optional, and include that designation in residential vacancy listings; provide a list to a rental applicant showing the designation of units in the building that are smoking optional, before offering a unit to that applicant; disclose in writing to any rental applicant whether the landlord has designated the unit for rent as smoke free or smoking optional, prior to entering into a new lease or rental agreement; develop and maintain a master list available to all tenants that identifies the location of each smoking optional unit; and comply with a timeline and process to designate the units as smoke free or smoking optional (one year for owners of 50 units or less in the City, two years for owners of more than 50 units in the City).

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Rules Committee

120817 [Campaign and Governmental Conduct Code - Requiring Electronic Filing of Campaign Statements]

Sponsor: Chiu

Ordinance amending the San Francisco Campaign and Governmental Conduct Code, Section 1.112, to require the electronic filing of campaign statements submitted to the Ethics Commission.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120964 [Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]

Sponsor: Chiu

Ordinance amending the San Francisco Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121030 [Police Code - Enforcement Provisions for Clipper Cove Special-Use Area Adjacent to Treasure Island]

Sponsor: Kim

Ordinance amending the San Francisco Police Code, Section 1.1, Mooring in Clipper Cove, to further delineate enforcement provisions including infractions, provide for administrative citations and penalties, specify procedures for changing rules and regulations, and clarify existing provisions.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121117 [Appointment, Market and Octavia Community Advisory Committee - Nicholas Wolff]

Motion appointing Matthew Steen, term ending December 16, 2014, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)
(Supervisor Farrell dissented in Committee.)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Motion appointing Nicholas Wolff, term ending December 16, 2014, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Motion No. M13-004

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Farrell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Patricia Kaussen of the Richmond District Neighborhood Center in recognition of her accomplishments upon her retirement.

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to the San Francisco Junior Glens Soccer Team in recognition of their accomplishments and continued team sportsmanship.

SPECIAL ORDER 3:00 P.M

121219 [Public Hearing - Appeal of Tentative Map - 1 Capitol Avenue]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated December 10, 2012, approving a Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, in Assessor's Block No. 7148, Lot No. 040. (District No. 11) (Appellant: Linda Lam) (Filed December 20, 2012). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Linda Lam (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Francisco Da Costa; Douglas Yepp; Female Speaker; Ray Hartz; Male Speaker; spoke in support of the appeal. Bruce Storrs (Department of Public Works) and AnMarie Rodgers (Planning Department) provided an overview of the decision of the Department of Public Works and the findings of the Planning Department and responded to questions raised throughout the discussion. Meredyth Skemp, Habitat for Humanity (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Linda Lam (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

121220 [Approving Decision of the Department of Public Works and Approving the Tentative Map - 1 Capitol Avenue]

Motion approving decision of the Department of Public Works and approving the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M13-003

Supervisor Avalos, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121221 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Map - 1 Capitol Avenue]

Motion disapproving decision of the Department of Public Works and disapproving the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Avalos, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121222 [Preparation of Findings Related to the Tentative Map Disapproval - 1 Capitol Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040. (Clerk of the Board)

Supervisor Avalos, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government. (See additional information submitted on Page 18.)
Male Speaker; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library, mural project, and LGBT issues.
Francisco Da Costa, expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Tom Gilberty; expressed various concerns relating to public comment and noise pollution.
John DiDonna; shared in poem certain concerns with the Board.
Otto Duffy; expressed concerns relating to government service.
Ace Washington; expressed various concerns.
Douglas Yepp; expressed various concerns.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Male Speaker; expressed various religious concerns.
Edmond Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121205 [Approval of a 90 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]

Sponsor: Kim

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the San Francisco Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for student housing conversions, to require a posting to announce that the report is available for public review, and to provide an enforcement mechanism for failure to submit the annual report, adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

ADOPTED

121206 [Extending the Single Room Occupancy Task Force - December 31, 2015]

Sponsors: Kim; Campos and Chiu

Resolution amending the Single Room Occupancy Task Force to extend it three years beyond the current sunset date of December 31, 2012, to December 31, 2015.

ADOPTED

130021 [Approval of 90 Day Extension - Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]

Sponsor: Breed

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code, by adding Section 744.1, to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; amending Sheets ZN02 and ZN07 of the San Francisco Zoning Maps to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

ADOPTED

130023 [Apply for, Accept, and Expend Grant - Urban Forestry Programs - Not to Exceed $99,000]

Sponsor: Wiener

Resolution authorizing the Planning Department to apply for, accept, and expend funding from the State of California Urban Forestry Grant Program entitled "Leading Edge," as provided through Proposition 40 and/or Proposition 84, in an amount not to exceed $99,000.

ADOPTED

121217 [Final Map 5039 - 1946 Polk Street]

Motion approving Final Map 5039, a 2 Commercial and 41 Residential Unit Mixed-Use Condominium Project, located at 1946 Polk Street being a subdivision of Assessor's Block No. 0596, Lot No. 024, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M13-005

APPROVED

121218 [Final Map 6405 - 1120-1130 Kearny Street]

Motion approving Final Map 6405, a 6 Unit Residential Condominium Project, located at 1120-1130 Kearny Street being a subdivision of Assessor's Block No. 0144, Lot No. 022, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M13-006

APPROVED

121223 [Final Map 6409 - 1145 Green Street]

Motion approving Final Map 6409, a 6 Unit Residential Condominium Project, located at 1145 Green Street being a subdivision of Assessor's Block No. 0125, Lot No. 019A, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M13-007

APPROVED

121224 [Final Map 7090 - 1800 Van Ness Avenue]

Motion approving Final Map 7090, a 2 Lot Merger and Resubdivision into Parcel A and Parcel B, being also a 98 Residential Unit Condominium Project (Parcel A) and a 3 Commercial Unit Condominium Project (Parcel B), located at 1800 Van Ness Avenue being a subdivision of Assessor's Block No. 0619, Lot Nos. 009 and 010, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M13-008

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130035 [Patricia Kaussen Day - January 17, 2013]

Sponsor: Mar

Resolution commending Patricia Kaussen on the occasion of her retirement as Executive Director of the Richmond District Neighborhood Center and declaring January 17, 2013, as Patricia Kaussen Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130035. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Cohen, seconded by Supervisor Farrell, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Cohen, seconded by Supervisor Farrell, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130036 [Commemorating the 150th Anniversary of the Emancipation Proclamation]
Sponsor: Cohen
Resolution commemorating the 150th anniversary of the issuance of the Emancipation Proclamation.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130036. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced.

PROPOSED ORDINANCES

130001 [General Plan Amendments - Western South of Market Area Plan]

Ordinance amending the San Francisco General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)

01/04/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130002 [Planning Code - Implementing the Western South of Market Area Plan]

Ordinance amending the San Francisco Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings and findings of consistency with General Plan and with the Priority Policies of Planning Code, Section 101.1. (Planning Department)

01/04/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130003 [Planning Code, Zoning Map - Western South of Market Area Plan]

Ordinance amending San Francisco Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and Planning Code, Section 101.1. (Planning Department)

01/04/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130004 [Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]

Ordinance amending the San Francisco Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings. (Planning Department)

01/04/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

130029 [Building Code - Seismic Standards]

Ordinance amending the San Francisco Building Code, by amending, and adding various sections concerning seismic standards and making conforming changes; making environmental findings; making findings pursuant to California Health and Safety Code, Section 17958.5; and directing the Clerk of the Board to forward this legislation to the California Building Standards Commission. (Building Inspection Commission)

01/07/13; RECEIVED FROM DEPARTMENT.

01/15/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/14/2013.

PROPOSED RESOLUTION

130005 [Street Artist Spaces - Market Street, Spear to Steuart Streets]

Resolution approving designation of six selling spaces on Market Street, north side, Spear to Steuart Streets, for street artists certified by Arts Commission; exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size.

01/03/13; RECEIVED FROM DEPARTMENT.

01/15/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:43 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: Here's a question I would ask the mayor: Mayor Lee, why do you leave yourself open to charges of having a double standard regarding the behavior of public officials? In July 2011, the Ethics Commission determined that Library Commission President Jewelle Gomez' actions fell below the standards appropriate for a public official. In a unanimous decision, the Ethics Commission recommended that the mayor remove Ms. Gomez. In September 2012, the Ethics Commission sent a follow-up letter requesting the mayor advise the commission as to the reasons why he declines to take any action with respect to Ms. Gomez' conduct? So, while the mayor was using the same Ethics Commission in an attempt to overturn the results of a lawful election, he refused to even acknowledge the recommendation regarding one of his appointed officials. Well, boys and girls, can you spell the work "hypocritical?"

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

FEB 0 1 2012

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, January 29, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 11:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121163 [Accept and Expend Grant - TechSF-Workforce Innovation Partnership and Amendment to the Annual Salary Ordinance - $3,000,000]

Sponsor: Mayor

Ordinance authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $3,000,000 from the Department of Labor for the TechSF-Workforce Innovation Partnership, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect addition of one (1) Class 9775 Senior Community Development Specialist II grant-funded position (0.77 FTE) in the Office of Economic and Workforce Development and one (1) Class 1053 IS Business Analyst - Senior grant-funded position (0.77 FTE) in the Department of Technology.

FINALLY PASSED

121164 [Accept and Expend Grant - Office of Financial Empowerment Kindergarten to College Outreach Position and Amendment to the Annual Salary Ordinance - Up to $80,000]

Sponsor: Mayor

Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of up to $80,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Kindergarten to College program, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

FINALLY PASSED

121196 [Accept and Expend Grant - Energy Efficiency Program and Amendment to the Annual Salary Ordinance - $13,100,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $13,100,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to implement an Energy Use and Demand Reduction through Energy Efficiency Program and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of three grant funded positions (3 FTE) at the Department of the Environment, for a term from January 1, 2013, through December 31, 2014.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120789 [Planning Code - Landmark Designation of 4004-4006 Third Street - Sam Jordan's Bar]

Sponsor: Cohen

Ordinance designating 4004-4006 Third Street (Sam Jordan's Bar), Assessor's Block No. 5253, Lot No. 030, as a landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings. (Planning Department)

FINALLY PASSED

121061 [Planning Code - Landmark Designation of 401 Castro Street (Twin Peaks Tavern)]

Sponsors: Wiener; Campos

Ordinance designating 401 Castro Street (Twin Peaks Tavern), Assessor's Block No. 3582, Lot No. 71, as a landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings. (Planning Department)

FINALLY PASSED

121107 [Health Code - Disclosing Landlord's Prohibition of Smoking in Residential Rental Units; Designating Units as Smoke Free or Smoking Optional]

Sponsors: Mar; Cohen

Ordinance amending the Health Code, by adding Article 19M, relating to multi-unit residential rental properties where less than 100 percent of the units are designated as smoke free, to require that owners designate each unit as either smoke free or smoking optional, and include that designation in residential vacancy listings; provide a list to a rental applicant showing the designation of units in the building that are smoking optional, before offering a unit to that applicant; disclose in writing to any rental applicant whether the landlord has designated the unit for rent as smoke free or smoking optional, prior to entering into a new lease or rental agreement; develop and maintain a master list available to all tenants that identifies the location of each smoking optional unit; and comply with a timeline and process to designate the units as smoke free or smoking optional (one year for owners of 50 units or less in the City, two years for owners of more than 50 units in the City).

FINALLY PASSED

Recommendations of the Rules Committee

120964 [Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]

Sponsor: Chiu

Ordinance amending the Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

FINALLY PASSED

121030 [Police Code - Enforcement Provisions for Clipper Cove Special-Use Area Adjacent to Treasure Island]

Sponsor: Kim

Ordinance amending the Police Code, Section 1.1, Mooring in Clipper Cove, to further delineate enforcement provisions including infractions, provide for administrative citations and penalties, specify procedures for changing rules and regulations, and clarify existing provisions.

FINALLY PASSED

121190 [Settlement of Lawsuit - Bryan Vestal - $420,000]

Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for $420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of $110,098.30. (City Attorney)

PASSED, ON FIRST READING

121226 [Settlement of Lawsuit - Sandra Ramos - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for $60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to $2,500 for services of an organizational consultant. (City Attorney)

PASSED, ON FIRST READING

121227 [Settlement of Lawsuit - Health Net - City to Receive $800,000 and Future Payments]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of $800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

PASSED, ON FIRST READING

121228 [Settlement of Lawsuit - Brendan Cadam - $42,500]

Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for $42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

121229 [Settlement of Lawsuit - Maya Vlanin - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for $95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

121161 [Settlement of Claim - Crystal Cheung - $110,000]

Resolution approving the proposed settlement of claim by Crystal Cheung against the City and County of San Francisco for $110,000; the claim was filed on January 24, 2012, bearing Claim No. 12-01653. (City Attorney)

ADOPTED

130006 [Appointments, Assessment Appeals Board No. 1 - Joseph Tham, Mark Watts, Scott Spertzel, and Donna Crowder]

Motion appointing Joseph Tham, Mark Watts, Scott Spertzel, and Donna Crowder, terms ending September 7, 2015, to the Assessment Appeals Board No. 1. (Clerk of the Board)

Motion No. M13-009

APPROVED

130013 [Appointments, Assessment Appeals Board No. 2 - Louisa Mendonza, Daniel Hershkowitz, Joyce Lewis, and Diana Daniel]
Motion appointing Louisa Mendonza, Daniel Hershkowitz, Joyce Lewis, and Diana Daniel, terms ending September 7, 2015, to the Assessment Appeals Board No. 2. (Clerk of the Board)

Motion No. M13-010

APPROVED

130014 [Appointment, Bicycle Advisory Committee - Casey Allen]
Motion appointing Casey Allen, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-011

APPROVED

130028 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Walker Bass]
Motion appointing Walker Bass, term ending October 19, 2013, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

Motion No. M13-012

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120772 [Health, Transportation Codes - Prohibiting Smoking at Certain Outdoor Events]

Sponsors: Mar; Cohen and Farrell

Ordinance amending the Health Code, by adding Article 19L, to prohibit smoking at outdoor events on property owned by the City and County of San Francisco where approval is required under Transportation Code, Article 6; the Transportation Code, by amending Sections 6.2 and 6.7, establishing obligations for producers of outdoor events that require approval for temporary use or occupancy of a public street to notify the public that the event is smoke-free; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendation of the Rules Committee

120817 [Campaign and Governmental Conduct Code - Requiring Electronic Filing of Campaign Statements]

Sponsor: Chiu

Ordinance amending the Campaign and Governmental Conduct Code, Section 1.112, to require the electronic filing of campaign statements submitted to the Ethics Commission.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121194 [Administrative Code - Water Enterprise Capital Cost Recovery Payment Surcharge Fund]

Sponsors: Mayor; Chu

Ordinance amending the Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Capital Cost Recovery Payment Surcharge Fund.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121195 [Appropriating $2,566,145 of General Fund Reserve to the Treasurer/Tax Collector - FY2012-2013]

Sponsors: Mayor; Chiu, Farrell and Avalos

Ordinance appropriating $2,566,145 from the General Fund Reserve to the Treasurer/Tax Collector for Gross Receipts Tax Implementation Planning for FY2012-2013.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121197 [Public Employment - Amending the Annual Salary Ordinance for Implementation of Proposition E and the Gross Receipts Tax]

Sponsors: Mayor; Chiu, Farrell and Avalos

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of 5 positions (2.2 FTE) in the Office of the Treasurer/Tax Collector for the implementation of Proposition E and the Gross Receipts Tax.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121085 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City.
(Civil Service Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121193 [Contract Amendment - Renewable Energy and Climate Change Professional Services - $31,400,000]

Resolution approving the Fourth Amendment to the contract with ICF Resources, LLC, for Renewable Energy and Climate Change Professional Services, to increase the amount of the contract by $12,400,000 for a total of $31,400,000 and to extend the term of the contract from July 1, 2014, to December 31, 2016. (Environment)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121203 [Prepayment and Collection Agreement - Bay Area Water Supply and Conservation Agency]

Sponsors: Mayor; Chu

Resolution approving the Prepayment and Collection Agreement between the Bay Area Water Supply and Conservation Agency and the Public Utilities Commission and authorizing the taking of appropriate actions in connection therewith, and related matters, for a term ending July 1, 2036. (Fiscal Impact)

Resolution No. 014-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121202 [Accept and Expend Grant - FY2012 Emergency Management Performance Grant - $289,613]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2012 Emergency Management Performance Grant in the amount of $289,613 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities, for the period of July 1, 2012, to June 30, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121210 [Agreement - Fong and Chan Architects, Inc. - San Francisco General Hospital Rebuild Program]

Resolution ratifying Modification No. 7 to the Architectural and Engineering Design Services Agreement with Fong & Chan Architects, Inc., for the San Francisco General Hospital Rebuild Program from $51,507,500 to $52,521,000 and authorizing the Director of Public Works to execute Modification No. 10 from $52,710,860 to $53,376,607 pursuant to Charter Section 9.118(b). (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130022 [Apply for, Accept, and Expend - Local Priority Development Area Planning and Implementation Efforts - $2,380,000]

Sponsor: Wiener

Resolution authorizing the Planning Department to apply for, accept, and expend funds in the amount of $2,380,000 from the Metropolitan Transportation Commission for local Priority Development Area Planning and Implementation efforts spanning FYs 2012-2013 through 2015-2016.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120959 [Building Code - Fees and Permit Extensions]

Ordinance amending the Building Code, Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4, to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L, of Section 110A, to modify various fees; and making environmental findings. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Chu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Todd David, Christopher Keene, Leslie Crawford, Nisha Pillai, and Kate Sherwood of the Residents of Noe Valley Town Square in recognition of their accomplishments and continued community support.

Supervisor Chu introduced, welcomed, and presented Certificates of Honor to Angelica Quicksey, Thomas Gonzales, Lindsay Goodwin, Rachel Alonso, Rob Chappell, Dan Parham, Darin Dinsmore, and the N Judah Turnaround Beautification Project Steering Committee in recognition of their accomplishments and continued community support.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government and the SF Public Library. (See additional information submitted on Page 16.)
Aja Monet; expressed various concerns.
Male Speaker; expressed various concerns.
Eugene Gordon, Jr.; expressed concerns relating to First Amendment Rights and open government.
Walter Paulson; shared in song certain concerns with the Board.
Francisco Da Costa; expressed concerns relating to SFUSD employment and proposed wellness center.
Male Speaker; expressed various concerns.
Calvin Welch; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Michael Barry; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Richard Ivanhoe; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Tess Walbard; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Male Speaker; expressed concerns relating to closure of Haight Ashbury Recycling Center.
Ace Washington; spoke relating to Black History Month and expressed various other concerns.
Robert Green; expressed concerns relating to assault weapons act.
Virginia Barrett; shared in poem certain concerns with the Board.
Tom Gilberty; expressed various concerns relating to public comment and noise pollution.
Male Speaker; expressed various concerns relating to Assembly Bill 716.
Douglas Yepp; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130048 [Declaring Support - Sandy Hook Promise]

Sponsors: Farrell; Chiu, Mar, Chu and Campos
Resolution adopting the Sandy Hook Promise for the families and children of the City and County of San Francisco.

Supervisors Mar, Chu, and Campos requested to be added as co-sponsors.

ADOPTED

130049 [Declaring Support - Senator Dianne Feinstein's Assault Weapons Regulatory Act of 2013]

Sponsors: Farrell; Chiu, Mar, Chu and Campos
Resolution supporting Senator Dianne Feinstein's Assault Weapons Regulatory Act of 2013.

Supervisors Mar, Chu, and Campos.requested to be added as co-sponsors.

ADOPTED

130007 [Final Map 6902 - 261-265 Dolores Street]

Motion approving Final Map 6902, a Subdivision of Airspace for Residential Purposes, Parcel "B" being a Three Unit Residential Condominium Project, located at 261-265 Dolores Street being a subdivision of Assessor's Block No. 3556, Lot No. 030, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-013

APPROVED

130008 [Final Map 7040 - 200 Dolores Street]

Motion approving Final Map 7040, a 13 Residential Unit Condominium Project, located at 200 Dolores Street being a subdivision of Assessor's Block No. 3557, Lot No.132, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-014

APPROVED

130009 [Final Map 7357 - 610-616 20th Street]

Motion approving Final Map 7357, a 16 Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 610-616 20th Street being a subdivision of Assessor's Block No. 4058, Lot No. 008, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-015

APPROVED

130010 [Final Map 6977 - 435 Duboce Avenue]

Motion approving Final Map 6977, a Two Lot Subdivision, Parcel "A" being a Four Residential and One Commercial Unit, Mixed-Use Condominium Project, located at 435 Duboce Avenue being a subdivision of Assessor's Block No. 3537, Lot No. 087, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-016

APPROVED

130011 [Final Map 7288 - 4201 California Street]

Motion approving Final Map 7288, a Six Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 4201 California Street being a subdivision of Assessor's Block No. 1364, Lot No. 048, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-017

APPROVED

130012 [Final Map 6895 - 693 Sutter Street]

Motion approving Final Map 6895, a 17 Residential Unit and Three Commercial Unit, Mixed-Use Condominium Project, located at 693 Sutter Street being a subdivision of Assessor's Block No. 0297, Lot No. 009, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-018

APPROVED

130058 [Final Map 5215 - 1275 Indiana Street, 1260 Minnesota Street]

Motion approving Final Map 5215, a 39 Residential Unit and Three Commercial Unit, Mixed-Use Condominium Project, located at 1275 Indiana Street, 1260 Minnesota Street being a subdivision of Assessor's Block No. 4228, Lot No. 158, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-019

APPROVED

130059 [Final Map 6479 - 300-304 Sanchez Street, 3509-3511 16th Street]

Motion approving Final Map 6479, a Four Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 300-304 Sanchez Street, 3509-3511 16th Street being a subdivision of Assessor's Block No. 3564, Lot No. 107, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-020

APPROVED

130060 [Final Map 7387 - 1945 Hyde Street]

Motion approving Final Map 7387, a Seven Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 1945 Hyde Street being a subdivision of Assessor's Block No. 0123, Lot No. 002, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-021

APPROVED

130061 [Final Map 7367 - 1461 Pine Street]

Motion approving Final Map 7367, a 35 Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 1461 Pine Street being a subdivision of Assessor's Block No. 0668, Lot Nos. 012, 013, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-022

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130034 [Settlement of Lawsuit - Mary Bull - $465,000]

Ordinance authorizing settlement of a lawsuit filed by Mary Bull, Lisa Giampaoli, Alexis Bronson, Micky Mangosing, Leigh Fleming, Laura Timbrook, J. Quechan Allen, Diana Smith, Michele De Ranleau, Michael Marron, Steve Noh, Sister Bernie Galvin, and Brian Vowell against the City and County of San Francisco for an amount not to exceed $465,000; the lawsuit was filed on April 23, 2003, in United States District Court, Northern District of California, Case No. C03-1840 (CRB); entitled Mary Bull et al. v. City and County of San Francisco. (City Attorney)

01/10/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Rules Committee.

130062 [Planning, Administrative Codes - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]

Ordinance amending the Planning and Administrative Codes, to correct errors, and make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; and adopt findings, including findings under the California Environmental Quality Act and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1. (Planning Commission)

01/17/13; RECEIVED FROM DEPARTMENT.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/28/2013.

PROPOSED RESOLUTIONS

130057 [Lease Termination Agreement - Ellis-O'Farrell Parking Corporation - 123 O'Farrell Street - January 31, 2013]

Resolution authorizing the termination of the lease agreement with the Ellis-O'Farrell Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 123 O'Farrell Street, terminating on January 31, 2013. (Municipal Transportation Agency)

01/17/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130063 [Street Artist Spaces - Post Street at Stockton Street]

Resolution approving re-designation, for six months, two temporary selling spaces on Post Street, northwest corner, at Stockton Street, for street artists certified by the Arts Commission. (Arts Commission)

01/15/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130064 [Street Artist Space - Leavenworth Street at Jefferson Street]

Resolution approving re-designation of one selling space on Leavenworth Street, west side, at Jefferson Street, for six months, for street artists certified by the Arts Commission; exempting said space from the regulations of Police Code, Section 2405(c)(6) and (11), prohibiting selling within ten feet from the outer edge of any entrance to any building and prohibiting selling within five feet from the display of any other street artist. (Arts Commission)

01/16/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:36 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: There was public comment from James Chaffee, Ray Hartz and Peter Warfield regarding various aspects of the Branch Libraries Improvement Project and Friends of the Library. Their reference materials are addendums to the minutes and will be posted on the GGOBOC web site. There was also a significant exchange between Committee members and Library staff regarding this issue, as well, with particular inquiry and concern over how the Library presented financials suggesting that monies spent by the Friends were included in the program totals. There were legitimate questions as to whether the City ever actually controlled these funds; the answer appears to be "no", which was not clear from the documents. The Committee gave direction to staff that the documents should be revised and provided to the Committee and public again. Going forward, more rigorous accounting standards should be used in presenting City financials.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, February 5, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

FEB 11 2013

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 11:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121194 [Administrative Code - Water Enterprise Capital Cost Recovery Payment Surcharge Fund]

Sponsors: Mayor; Chu

Ordinance amending the Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Capital Cost Recovery Payment Surcharge Fund.
(Fiscal Impact)

FINALLY PASSED

121195 [Appropriating $2,566,145 of General Fund Reserve to the Treasurer/Tax Collector - FY2012-2013]

Sponsors: Mayor; Chiu, Farrell and Avalos

Ordinance appropriating $2,566,145 from the General Fund Reserve to the Treasurer/Tax Collector for Gross Receipts Tax Implementation Planning for FY2012-2013.

FINALLY PASSED

121197 [Public Employment - Amending the Annual Salary Ordinance for Implementation of Proposition E and the Gross Receipts Tax]

Sponsors: Mayor; Chiu, Farrell and Avalos

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of 5 positions (2.2 FTE) in the Office of the Treasurer/Tax Collector for the implementation of Proposition E and the Gross Receipts Tax.

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

120959 [Building Code - Fees and Permit Extensions]

Ordinance amending the Building Code, Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4, to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L, of Section 110A, to modify various fees; and making environmental findings. (Building Inspection Department)

FINALLY PASSED

Recommendations of the Rules Committee

121190 [Settlement of Lawsuit - Bryan Vestal - $420,000]

Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for $420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of $110,098.30. (City Attorney)

FINALLY PASSED

121226 [Settlement of Lawsuit - Sandra Ramos - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for $60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to $2,500 for services of an organizational consultant. (City Attorney)

FINALLY PASSED

121227 [Settlement of Lawsuit - Health Net - City to Receive $800,000 and Future Payments]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of Califomia, Inc., for the payment by Health Net of $800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

FINALLY PASSED

121228 [Settlement of Lawsuit - Brendan Cadam - $42,500]

Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for $42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

121229 [Settlement of Lawsuit - Maya Vlanin - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for $95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attomey)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130015 [Appropriating $507,880,000 of Certificate of Participation Proceeds - Moscone Center Expansion Project - FY2012-2013]

Sponsors: Mayor; Kim and Chu

Ordinance appropriating $507,880,000 of Certificate of Participation (COPs) proceeds to fund the Moscone Center Expansion Project in the General Services Agency, Office of the City Administrator, for FY2012-2013 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2012-2013. (Economic Impact)

Supervisor Chu requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130016 [Authorizing Certificates of Participation and Assessment Notes - Moscone Expansion Project - Not to Exceed $507,880,000]

Sponsors: Mayor; Kim

Ordinance authorizing the execution and delivery of Certificates of Participation evidencing and representing an aggregate principal amount of not to exceed $507,880,000 to finance the costs of additions and improvements to the George R. Moscone Convention Center; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Project Lease, each between the City and the Trustee for the lease and lease back of all or a portion of the Moscone Center, including the Moscone Expansion Project, to be constructed thereon; authorizing the execution and delivery of Assessment Notes payable from Moscone Expansion District assessments to further secure principal, premium, if any, and interest evidenced and represented by the Certificates; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the Certificates and the Assessment Notes; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 3, Lines 10-13, by adding 'WHEREAS The City will undertake environmental review of the Moscone Expansion project as project components are better defined and will work with all interested parties, City staff, experts and the public to develop a thorough environmental analysis that will inform the design, development and operation of the Moscone Expansion Project; and'; on Page 12, Lines 3-15, by adding 'Section 18. CEQA Findings. Approval of this Ordinance by the Board shall not be construed as approval of the Moscone Expansion Project. The City will conduct environmental review of the proposed Moscone Expansion Project, following further design development and study, under any approvals or facilities for the Moscone Expansion Project, or grants any entitlements to the Trustee. The City retains absolute discretion to: (1) modify the Moscone Expansion Project to mitigate significant adverse environmental impacts, (2) select feasible alternatives which avoid significant adverse impacts of the Moscone Expansion Project, (3) require the implementation of specific measures to mitigate the significant adverse environmental impacts of the Moscone Expansion Project, (4) reject the Moscone Expansion Project as proposed in the economic and social benefits of the Project do not outweigh otherwise unavoidable significant adverse impacts of the project, or (5) approve the Moscone Expansion Project upon a finding that the economic and social benefits of the Moscone Expansion Project outweigh otherwise unavoidable significant adverse impacts.'; Line 16, by changing '18' to '19'; on Page 13, Line 4, by changing '19' to '20'; Line 12, by changing '20' to '21'; Line 15, by changing '21' to '22'; and Line 16, by changing '22' to '23'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Chu requested to be added as a co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121201 [Finding of Fiscal Feasibility - Moscone Center Expansion Project]

Sponsors: Mayor; Chu

Resolution finding that a project proposed by the City to expand and renovate the North and South exhibit halls of the Moscone Convention Center, including reconfiguring the North and South exhibit halls to create additional contiguous exhibit space, a new ballroom, new loading and building service space, and improvements to the landscaping, urban design, and public realm, within and adjacent to the North and South exhibit halls, is fiscally feasible and responsible under Administrative Code, Chapter 29.
(Fiscal Impact)

Supervisor Chu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130024 [Accept and Expend Grant - Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B - $300,000]

Sponsors: Wiener; Campos

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $300,000 from Centers for Disease Control and Prevention to participate in a program entitled "Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B in San Francisco" for the period of September 30, 2012, through September 29, 2013.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130025 [Accept and Expend Grant - Active, Enhanced Surveillance for Viral Hepatitis - $519,945]

Sponsors: Wiener; Campos

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $519,945 from Centers for Disease Control and Prevention to participate in a program entitled "Active, Enhanced Surveillance for Viral Hepatitis in San Francisco, California" for the period of November 1, 2012, through October 31, 2013.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130045 [Accept and Expend Grant - Randall Museum Renovation - $5,477,193]

Sponsor: Wiener

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a Nature Education Facilities Grant from the California State Department of Parks and Recreation in the amount of $5,477,193 for the Randall Museum Renovation, for the period of July 1, 2009, to June 30, 2017.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130047 [Accept In-Kind Gift - Randall Museum Project Management Services - $130,000]
Sponsors: Wiener; Campos

Resolution authorizing the Recreation and Park Department to retroactively accept an in-kind gift of project management services valued at $130,000 from the Randall Museum Friends for the Randall Museum Renovation Project, for the period of Octocer 24, 2012, to June 30, 2017.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

121200 [Administrative Code - Contractor Prompt Payment for Public Works Construction and Professional Services Contracts]
Sponsors: Chu; Chiu, Campos and Cohen

Ordinance amending the San Francisco Administrative Code, by adding Sections 6.22(Q) and 6.42(F), to require all public works contractors to pay subcontractors within seven days of receipt of payment from the City.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121207 [Performance Audit - San Francisco Housing Authority]
Sponsors: Campos; Avalos, Kim and Mar

Motion directing the Budget and Legislative Analyst to conduct a performance audit of the San Francisco Housing Authority as a priority.

Motion No. M13-023

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Yee, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the San Francisco Unified School District Early Education Department in recognition of their accomplishments and on the occassion of their 70th Anniversary.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

121231 [Public Hearing - Establishing the Moscone Expansion Business Improvement District]

Hearing of persons interested in or objecting to the proposed Resolution to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 130043. Supervisors Kim and Farrell made some opening remarks relating to the proposed Moscone Expansion District. Lisa Pagan (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed Moscone Expansion District and levying of assessments. Larry Edmund; Jon Ballesteros; Kevin Carroll; Charley Lavery; Dave Truhaden; Randy Bryson; Ignacio Bastillo; spoke in support of the proposed business-based business improvement district. There were no speakers in opposition to the proposed business-based business improvement district. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130043 [Resolution to Establish - Moscone Expansion Business Improvement District]
Sponsors: Mayor; Kim and Chu

Resolution of formation to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings.
(Economic Impact)

Supervisor Chu requested to be added as a co-sponsor.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that in relation to a majority protest for the Moscone Expansion District; the total proposed Assessments in the Moscone Expansion District for year one is $18,140,651.77. The total weighted votes on whether to form the Moscone Expansion District and levy the assessments were as follows: Yes: $14,361,568.18 or 79.2% of the total proposed assessments; No: $537,352.38 or 3% of total proposed assessments. There is not a majority protest. In relation to the majority participation for the Moscone Expansion District, the total weighted ballots cast combined were as follows: $14,898,920.56 or 82.1% of total proposed assessments in the District representing 50% or more of the total proposed assessments. There is majority participation. In relation to the two-thirds support to form the Moscone Expansion District and levy the assesments, the total weighted votes were as follows: Yes: $14,361,568.18 or 96.4% of the total proposed assessments; No: $537,352.38 or 3.6% of total proposed assessments. There is at least two-thirds support. Ms. Calvillo concluded by indicating that the results of the ballot vote satisfy the required criteria for the Board to proceed and consider whether to establish the Moscone Expansion District and levy the assessments.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Male Speaker; spoke relating to high crime communities and Black History Month.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to open government. (See additional information submitted on Page 14.)
Peter Warfield; expressed concerns relating to the SF Public Library and open government.
Bob Cohen; shared in poem certain concerns with the Board.
Walter Paulson; shared in song certain concerns with the Board.
Douglas Yepp; expressed various concerns.
Francisco Da Costa; expressed concerns relating to investments and infrastructure.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130089 [Supporting Local Government Greenhouse Gas Reduction Efforts]

Sponsors: Chiu; Mar and Campos

Resolution supporting the distribution of carbon cap-and-trade auction and Clean Energy Jobs Act revenues to local governments for support of greenhouse gas reduction programs.

Supervisors Mar and Campos requested to be added as a co-sponsor.

ADOPTED

130090 [One Billion Rising Day - February 14, 2013]

Sponsors: Chiu; Mar and Campos

Resolution declaring February 14, 2013, as One Billion Rising Day in the City and County of San Francisco and joining the global call to action opposing violence against women.

Supervisors Mar and Campos requested to be added as a co-sponsor.

ADOPTED

130092 [Celebrating Rosa Parks' 100th Birthday - Rosa Parks Day - February 4, 2013]

Sponsors: Cohen; Breed and Campos

Resolution celebrating the 100th Birthday of Rosa Parks and commemorating the Modern Civil Rights Leader for her courage and declaring February 4, 2013, Rosa Parks Day in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130093 [Approval of a 60 Day Extension for Planning Code - Polk Street Alcohol and Tobacco Paraphernalia Restrictions (File No. 121065)]

Sponsor: Chiu

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 121065) amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California and O'Farrell Streets, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street, and Van Ness Avenue; amending the Zoning Map, Map Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.

ADOPTED

130096 [Financial Aid Awareness Week - February 4-10, 2013]

Sponsors: Campos; Avalos, Breed, Chu, Farrell, Kim, Mar and Wiener

Resolution declaring February 4, 2013, through February 10, 2013, Financial Aid Awareness Week in the City and County of San Francisco.

ADOPTED

130109 [Supporting Constitutional Amendment to Limit Campaign Spending and End Artificial Corporate Rights in Response to the Passage of Measure G in November 2012]

Sponsors: Avalos; Chiu and Campos

Resolution responding to the passage of Measure G by San Francisco voters on November 6, 2012, by urging members of San Francisco's Congressional delegation to pass a constitutional amendment to limit campaign contributions and spending and end artificial corporate rights.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Kim, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Kim, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130116 [SFUSD Early Education Day - February 9, 2013]

Sponsors: Mar; Yee

Resolution commending the 70th anniversary of the San Francisco Unified School District (SFUSD) Early Education Department and declaring February 9, 2013, as SFUSD Early Education Department Day in the City and County of San Francisco.

Supervisor Yee requested to be added as a co-sponsor.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130116. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

130070 [Planning Code - Duboce Park Historic District]

Ordinance amending the Planning Code, by adding a new Appendix N to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Duboce Park Historic District; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code, Section 101.1(b). (Planning Department)

01/18/13; RECEIVED FROM DEPARTMENT.

02/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/7/2013.

PROPOSED RESOLUTIONS

121225 [Contract Amendment - Xtech - $90,580,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from $60,490,000 to $90,580,000, for the period of January 1, 2009, to December 31, 2013. (Office of Contract Administration)
(Fiscal Impact)

12/21/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

01/28/13; RECEIVED FROM DEPARTMENT.

02/05/13; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

130056 [California Environmental Quality Act Findings - Calaveras Dam Replacement Project]

Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program Calaveras Dam Replacement Project, located in Alameda and Santa Clara Counties, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

01/28/13; RECEIVED FROM DEPARTMENT.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:46 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors. Ray Hartz submitted the following additional information during Public Comment as follows: This Board of Supervisors attitude toward public participation in government is such that I have no problem whatsoever in labeling it "openly Hostile!" Look at the scheduling of public comment. In January, at one meeting, it took four hours for the public to get a chance to speak. At a second meeting, in the same month, public comment came after one hour. So, members of the public who wish to speak to you have to make a minimum half day commitment. People should also notice that you place public comment after commendations. We wouldn't want all those "nice people" to be here while "dissenting opinions" are expressed. And then there are those restrictions you place on constitutionally protected free speech! At no time in the handling of any matter do members of the public get to speak meaningfully to this full BOS regarding any matter before you take final action.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

FEB 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 12, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 11:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Kim, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of January 8, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130129 [Formal Policy Discussions - February 12, 2013]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 3, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. The Municipal Transportation Agency recently released its Draft Bicycle Strategy, which lays out an aggressive plan to upgrade San Francisco's bicycle facilities. It supports biking for everyone, including seniors, families, and persons with disabilities. However, I am hearing growing concerns both in my district and city-wide about the mismatch between verbal commitments to better bicycling and budget realities. Currently, bicycle projects account for just 0.46% of all MTA capital. This is not enough to get us to the goals laid out in the Bicycle Strategy.

How will you fund the Bicycle Strategy to make San Francisco a national leader in bicycling safety and use? (Supervisor Mar, District 1)

2. Mr. Mayor, the Board of Supervisors is considering legislation to allow existing owners of Tenancies in Common (TICs) to bypass the condominium conversion lottery and be converted after the payment of a fee. I recently asked supporters of the legislation and tenant advocates to engage in negotiations, which Supervisor Farrell and I are hosting.

What is your position on this pending legislation? What protections would you support to prevent the loss of rent-controlled housing in our increasingly unaffordable city? How would you address the concern that if we allow the current generation of TIC owners to convert, we will replace them with a new generation of TIC owners and additional real estate investments that will lead us right back to an identical debate within a short time? (Supervisor Chiu, District 3)

3. Last Sunday, at his Inaugural Address, San Francisco's Poet Laureate Alejandro Murguía encouraged the residents of San Francisco, including elected officials, to include more poetry in their lives. In that spirit, I shall submit my question in the form of a haiku. Your response does not necessarily need to follow the same format:

Murguía's address
Citing arts deprivation
Springing forth new funding?

In simple prose - will we see a renewed financial commitment to the arts in your City budget? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

DISCUSSED AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

130015 [Appropriating $507,880,000 of Certificate of Participation Proceeds - Moscone Center Expansion Project - FY2012-2013]

Sponsors: Mayor; Kim and Chu

Ordinance appropriating $507,880,000 of Certificate of Participation (COPs) proceeds to fund the Moscone Center Expansion Project in the General Services Agency, Office of the City Administrator, for FY2012-2013 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2012-2013. (Economic Impact)

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

121200 [Administrative Code - Contractor Prompt Payment for Public Works Construction and Professional Services Contracts]

Sponsors: Chu; Chiu, Campos and Cohen

Ordinance amending the Administrative Code, by adding Sections 6.22(Q) and 6.42(F), to require all public works contractors to pay subcontractors within seven days of receipt of payment from the City.

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

121204 [Deed Restriction - 17th and Folsom Streets Park Project]

Sponsors: Campos; Kim

Resolution authorizing the Director of Real Estate to record a deed restriction against Assessor's Block No. 3571, Lot No. 032, for the 17th and Folsom Streets Park Project.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130016 [Authorizing Certificates of Participation and Assessment Notes - Moscone Expansion Project - Not to Exceed $507,880,000]

Sponsors: Mayor; Kim and Chu

Ordinance authorizing the execution and delivery of Certificates of Participation evidencing and representing an aggregate principal amount of not to exceed $507,880,000 to finance the costs of additions and improvements to the George R. Moscone Convention Center; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Project Lease, each between the City and the Trustee for the lease and lease back of all or a portion of the Moscone Center, including the Moscone Expansion Project, to be constructed thereon; authorizing the execution and delivery of Assessment Notes payable from Moscone Expansion District assessments to further secure principal, premium, if any, and interest evidenced and represented by the Certificates; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the Certificates and the Assessment Notes; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.

(Economic Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121105 [Administrative Code - Expanding Public Utilities Commission Local Business Enterprise Contracting Opportunities]

Sponsors: Chiu; Mar

Ordinance amending the Administrative Code, Sections 14B.2 and 14B.5, to increase contracting opportunities for certified Public Utilities Commission Local Business Enterprises and to make corresponding technical changes.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121165 [Public Employment - Amendment to the Annual Salary Ordinance for Department on the Status of Women and the District Attorney's Office - FY2012-2013]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 1 position (0.33 FTE) in the Department on the Status of Women and 9 positions (2.97 FTEs) in the District Attorney's Office.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121166 [Appropriating $631,893 for the San Francisco Department on the Status of Women and the District Attorney's Office]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos

Ordinance appropriating $278,973 to the San Francisco Department on the Status of Women and $352,920 to the District Attorney's Office for FY2012-2013.

Supervisor Cohen duplicated the file. See File No. 130142

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130142 [Appropriating $118,107 for the San Francisco Department on the Status of Women]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos

Ordinance appropriating $278,973 to the San Francisco Department on the Status of Women and $352,920 to the District Attorney's Office for FY2012-2013.

Duplicated by Supervisor Cohen. See File No. 121166.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Ordinance appropriating $118,107 to the San Francisco Department on the Status of Women for FY2012-2013.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Resolution be RE-REFERRED AS AMENDED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121212 [Agreement Amendment - Tides Center to Provide Supportive Housing Property Management Services - $40,508,317]

Resolution approving a Second Amendment to the agreement between the Department of Public Health and the Tides Center to provide supportive housing property management services at Direct Access to Housing sites under the Delivering Innovation in Supportive Housing Program, to extend the term by five years and increase the contract by $23,136,504 for a total of $40,508,317 for the period of July 1, 2008, through June 30, 2018. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130044 [Accept and Expend Gift - GearUp Fund and Urban Trails Initiative Fund - $189,494.24]

Sponsor: Farrell

Resolution authorizing the Recreation and Park Department to accept and expend a gift from San Francisco Parks Trust for $189,494.24 for urban trails construction, signage, and mobile recreation, for a period to remain in effect until completion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130057 [Lease Termination Agreement - Ellis-O'Farrell Parking Corporation - 123 O'Farrell Street - January 31, 2013]

Resolution authorizing the retroactive termination of the lease agreement with the Ellis-O'Farrell Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 123 O'Farrell Street, terminating on January 31, 2013. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120900 [Planning Code - Car Share Parking Spaces]

Sponsors: Wiener; Chiu, Cohen, Chu and Campos

Ordinance amending the Planning Code, Section 166, to authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Supervisors Chu and Campos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121018 [Housing Code - Telephone Jacks and Grab Bars]

Sponsors: Mar, Chiu, Campos, Kim, Avalos and Yee

Ordinance amending the Housing Code, Section 206, to add Section 1002 to the list of retroactive provisions; Section 505, to require grab bars in hotel common-use water closets and bathing facilities; Section 1002, to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; establishing an operative date; and making environmental findings, legislative findings, and findings pursuant to California Health & Safety Code, Section 17958.5.

Supervisor Yee requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Kim Boyd, Brian Jung, Michael Sese, Gary Sponholtz, Michael Ellard, Daniel Priven, Daniel Weinstein, Neila Waters, Ginnie Padgett, Darwin Choy, Terry Hill, John Franklin, Jason Lebrun, Greg Doolittle, Loren Mcglade, and Carl Smith, of the San Francisco Lesbian/Gay Freedom Band and Color Guard, in recognition of their accomplishments and continued community support.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the Alex Sinkevitch and Wilma Geevargis, of the Russian Festival, in recognition of their accomplishments and continued community support on the occasion of their 25th anniversary.

COMMITTEE REPORT

Recommendation of the Rules Committee

Supervisor Breed Excused from Voting

Supervisor Campos, seconded by Supervisor Yee, moved that Supervisor Breed be excused from voting on File No. 130082. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Breed

130082 [Appointment, San Francisco LAFCo - Supervisor London Breed]
Motion appointing Supervisor London Breed, term ending February 4, 2015, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Motion No. M13-024

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Breed

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed concerns relating to renaming of airport.
Peter Warfield; expressed concerns relating to the SF Public Library.
Eugene Gordon, Jr.; expressed concerns relating to First Amendment Rights and open government.
Tom Gilberty; expressed various concerns relating to noise pollution.
Male Speaker; expressed concerns relating to rent control and housing.
Douglas Yepp; expressed various concerns.
Kati; spoke in support of Black History Month.
Karen Morasiou; spoke in support of the proposed legislation opposing the national defense authorization act.
Female Speaker; spoke in support of the proposed legislation opposing the national defense authorization act.
Bill Saito; spoke in support of the proposed legislation opposing the national defense authorization act.
Barbara Raymond; spoke in support of the proposed legislation opposing the national defense authorization act.
Male Speaker; spoke in support of the proposed legislation opposing the national defense authorization act.
Kevin Carr; spoke in support of the proposed legislation opposing the national defense authorization act.
Katie Seraff; spoke in support of the proposed legislation opposing the national defense authorization act.
Art Brisgood; spoke in support of the proposed legislation opposing the national defense authorization act.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns relating to western culture.
Male Speaker; expressed various concerns.
Beverly Anthen; spoke in support for federal funding of domestic violence.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130125 [Urging the Retirement Board to Divest from Firearm and Ammunition Manufacturers]

Sponsors: Avalos; Mar, Campos, Yee, Breed and Chiu

Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly traded firearm and ammunition manufacturers.

Supervisor Chiu requested to be added as co-sponsor.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130138 [Russian Festival 25th Anniversary - Russian Festival Day - February 22, 2013]
Sponsor: Mar

Resolution commending the 25th anniversary of the Russian Festival, sponsored by the Russian Center of San Francisco, and declaring February 22, 2013, Russian Festival Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130138. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130111 [Settlement of Lawsuit - Derek Kerr, M.D. - $750,000]

Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for $750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

02/01/13; RECEIVED FROM DEPARTMENT.

02/12/13; RECEIVED AND ASSIGNED to Rules Committee.

130112 [Settlement of Lawsuit - Rissa Kossen, et al. - $27,500]

Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for $27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

02/01/13; RECEIVED FROM DEPARTMENT.

02/12/13; RECEIVED AND ASSIGNED to Rules Committee.

130113 [Settlement of Lawsuit - Ana Guevara - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for $75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

02/01/13; RECEIVED FROM DEPARTMENT.

02/12/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130072 [Airport Concession Lease - Clear Channel Outdoor, Inc., dba Clear Channel Airports - $10,000,000 Minimum Annual Guarantee]

Resolution approving the Airport Advertising Lease between Clear Channel Outdoor, Inc., dba Clear Channel Airports, acting by and through its Airport Commission, for an eight year term with a minimum annual guarantee of $10,000,000. (Airport Commission)

02/01/13; RECEIVED FROM DEPARTMENT.

02/12/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:47 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

MAR - 1 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 26, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, Supervisors Kim and Mar were noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of January 15, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Wiener, Yee
Absent: 2 - Kim, Mar

COMMUNICATIONS

There were none.

Supervisor Mar was noted present at 2:13 p.m.

Supervisor Kim was noted present at 2:14 p.m.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121105 [Administrative Code - Expanding Public Utilities Commission Local Business Enterprise Contracting Opportunities]

Sponsors: Chiu; Mar

Ordinance amending the Administrative Code, Sections 14B.2 and 14B.5, to increase contracting opportunities for certified Public Utilities Commission Local Business Enterprises and to make corresponding technical changes.

FINALLY PASSED

121165 [Public Employment - Amendment to the Annual Salary Ordinance for Department on the Status of Women and the District Attorney's Office - FY2012-2013]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 1 position (0.33 FTE) in the Department on the Status of Women and 9 positions (2.97 FTEs) in the District Attorney's Office.
(Fiscal Impact)

FINALLY PASSED

121166 [Appropriating $631,893 for the San Francisco Department on the Status of Women and the District Attorney's Office]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos

Ordinance appropriating $278,973 to the San Francisco Department on the Status of Women and $352,920 to the District Attorney's Office for FY2012-2013.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she received notification from the Controller that this matter required a two-thirds vote pursuant to Charter, Section 9.113(c) and Administrative Code, Section 3.15.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120900 [Planning Code - Car Share Parking Spaces]

Sponsors: Wiener; Chiu, Cohen, Chu and Campos

Ordinance amending the Planning Code, Section 166, to authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

FINALLY PASSED

121018 [Housing Code - Telephone Jacks and Grab Bars]

Sponsors: Mar, Chiu, Campos, Kim, Avalos and Yee

Ordinance amending the Housing Code, Section 206, to add Section 1002 to the list of retroactive provisions; Section 505, to require grab bars in hotel common-use water closets and bathing facilities; Section 1002, to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; establishing an operative date; and making environmental findings, legislative findings, and findings pursuant to California Health & Safety Code, Section 17958.5.

FINALLY PASSED

130005 [Street Artist Spaces - Market Street, Spear to Steuart Streets]

Resolution approving designation of six selling spaces on Market Street, north side, Spear to Steuart Streets, for street artists certified by the Arts Commission; and exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size. (Arts Commission)

ADOPTED

130063 [Street Artist Spaces - Post Street at Stockton Street]

Resolution approving re-designation, for six months, two temporary selling spaces on Post Street, northwest corner, at Stockton Street, for street artists certified by the Arts Commission. (Arts Commission)

ADOPTED

130064 [Street Artist Space - Leavenworth Street at Jefferson Street]

Resolution approving re-designation of one selling space on Leavenworth Street, west side, at Jefferson Street, for six months, for street artists certified by the Arts Commission; exempting said space from the regulations of Police Code, Section 2405(c)(6) and (11), prohibiting selling within ten feet from the outer edge of any entrance to any building and prohibiting selling within five feet from the display of any other street artist. (Arts Commission)

ADOPTED

Recommendations of the Rules Committee

130034 [Settlement of Lawsuit - Mary Bull - $465,000]

Ordinance authorizing settlement of a lawsuit filed by Mary Bull, Lisa Giampaoli, Alexis Bronson, Micky Mangosing, Leigh Fleming, Laura Timbrook, J. Quechan Allen, Diana Smith, Michele De Ranleau, Michael Marron, Steve Noh, Sister Bernie Galvin, and Brian Vowell against the City and County of San Francisco for an amount not to exceed $465,000; the lawsuit was filed on April 23, 2003, in United States District Court, Northern District of California, Case No. C03-1840 (CRB); entitled Mary Bull et al. v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

130050 [Amending the Board's Rules - Establish Neighborhood Services and Safety Committee - Combining the City Operations and Neighborhood Services and the Public Safety Committees]

Sponsor: Chiu

Motion amending the Board of Supervisors Rules of Order, Rule 3.27, and deleting Rule 3.29, to establish the Neighborhood Services and Safety Committee by combining the City Operations and Neighborhood Services Committee and the Public Safety Committee.

Motion No. M13-025

APPROVED

130073 [Appointments, Veterans' Affairs Commission - Mary Tramil and Dottie Guy]

Motion appointing Mary Tramil and Dottie Guy, terms ending January 31, 2017, to the Veterans' Affairs Commission. (Clerk of the Board)

Motion No. M13-026

APPROVED

130081 [Appointments, Golden Gate Bridge, Highway and Transportation District - Richard Grosboll, Michael Theriault, Dave Snyder, and Janet Reilly]

Motion appointing Richard Grosboll, Michael Theriault, Dave Snyder, and Janet Reilly, terms ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-027

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121124 [Administrative Code - Compensation For City Employees With Same-Sex Spouses Or Same-Sex Domestic Partners to Offset Federal Income Tax on Health Insurance Premiums]

Sponsors: Farrell; Campos, Chu, Wiener, Avalos and Mar

Ordinance amending the Administrative Code, by adding Sections 16.704 and 16.29-7.6, to mandate payments to City employees to offset federal income taxation on health insurance premiums for their same-sex spouses or same-sex domestic partners and to exclude such payments from the computation of compensation under the San Francisco Employees' Retirement System.
(Fiscal Impact)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Ordinance be AMENDED on Page 3, by deleting Lines 13 through 17; Line 18, by changing '3' to '4'; by deleting text on Lines 20 through 23, following 'severable'; Line 24, by changing '4' to '5'; and on Page 4, Line 1, by changing '5' to '6'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisors Breed and Chiu requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130017 [Appropriating $6,589,395 for the Department of Juvenile Probation, the Department of Public Health, the Human Services Agency, and the Art Commission - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $6,589,395 of State Revenue Loss Reserve to fund the de-appropriation of State revenue of $534,406 at the Department of Public Health and appropriating uses of $50,000 to the Department of Juvenile Probation, $2,424,528 to the Department of Public Health, $3,180,461 to the Human Services Agency, and $400,000 to the Art Commission in FY2012-2013.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121184 [Lease Agreement - Japan Center Garage Corporation - Japan Center Public Parking Garage - $1]

Resolution approving a lease agreement between the Municipal Transportation Agency and the City of San Francisco Japan Center Garage Corporation for the Japan Center Public Parking Garage with an initial term of 10 years for a base rent of $1 and two 5-year options for a base rent of $1 for each option. (Municipal Transportation Agency)

Privilege of the floor was granted to Ed Reiskin, Municipal Transportation Agency Director, who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Noes: 2 - Avalos, Chu

121185 [Lease Agreement - Uptown Parking Corporation - Sutter Stockton Public Parking Garage - $1]

Resolution approving a lease agreement between the Municipal Transportation Agency and the City of San Francisco Uptown Parking Corporation for the Sutter Stockton Public Parking Garage with an initial term of 10 years for a base rent of $1 and two 5-year options for a base rent of $1 for each option. (Municipal Transportation Agency)

Privilege of the floor was granted to Ed Reiskin, Municipal Transportation Agency Director, who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Noes: 2 - Avalos, Chu

121191 [Airport Concession Lease - Avila Retail Development and Management, LLC - $162,000 Minimum Annual Guarantee]

Resolution retroactively approving the Boarding Area "F" Specialty Store Lease between Avila Retail Development and Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission with a minimum annual guarantee of $162,000 for a term from January 1, 2013, through December 31, 2019. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121225 [Contract Amendment - Xtech - $90,580,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from $60,490,000 to $90,580,000 for the period of January 1, 2009, through December 31, 2013. (Office of Contract Administration)
(Fiscal Impact)

Privilege of the floor was granted to Bill Jones (Office of Contract Administration) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130056 [California Environmental Quality Act Findings - Calaveras Dam Replacement Project]

Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program Calaveras Dam Replacement Project, located in Alameda and Santa Clara Counties, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130091 [Accept and Expend Grant - Anti-Human Trafficking Task Force Program - $200,000]

Sponsor: Chu

Resolution authorizing the Police Department to retroactively accept and expend a grant in the amount of $200,000 from the California Emergency Management Agency for the Anti-Human Trafficking Task Force Program for the period of October 1, 2012, through September 30, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130121 [Lease - Los Altos Hotel Associates, LLC - Hotel Parking and Recreation Purposes - $52,324 Annually Plus Adjustments]

Sponsor: Mayor

Resolution authorizing the General Manager of the Public Utilities Commission to execute a 20 year lease, for $52,324 annually with an annual increase of four percent, with Los Altos Hotel Associates, LLC, for approximately 47,916 square feet of land known as Bay Division Pipelines 3 and 4, Parcel No. 232A, located in the City of Los Altos, Santa Clara County, California, for hotel parking and recreation purposes.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the City Operations and Neighborhood Services Committee

120747 [Liquor License - 313 Ivy Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Angel Davis and Nguey Lay for 7682, LLC, dba Fig and Thistle, located at 313 Ivy Street (District 5), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with Business and Professions Code, Section 23958.4, with conditions.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

120998 [Liquor License - 310-320 Geary Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Lynne Carmichael for Eno St. Francis, LLC, dba Eno, located at 310-320 Geary Street (District 3), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with Business and Professions Code, Section 23958.4, with conditions.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Referred from the Land Use and Economic Development Committee Without Recommendation

121168 [Street Encroachment - 54 Peralta Avenue]

Sponsor: Chiu

Resolution granting revocable permission to Aquilina Family 2001 Revocable Trust to occupy a portion of the public right-of-way to remove and reconstruct a portion of a City owned and maintained retaining wall to construct a concrete driveway ramp, with accessible transition slopes to conform to the existing sidewalk grade, that will provide vehicular access to a proposed new residence with a garage at 54 Peralta Avenue (Assessor's Block No. 5512, Lot No. 029), conditioned upon the payment of an annual assessment fee of $215; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Supervisor Campos, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Rules Committee

Supervisor Campos Excused from Voting

Supervisor Avalos, seconded by Supervisor Mar, moved that Supervisor Campos be excused from voting on File No. 130075. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Campos

130075 [Reappointment, Golden Gate Bridge, Highway and Transportation District - Supervisor David Campos]

Motion reappointing Supervisor David Campos, term ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-028

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Campos

Supervisor Wiener Excused from Voting

Supervisor Campos, seconded by Supervisor Chu, moved that Supervisor Wiener be excused from voting on File No. 130076. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Yee
Excused: 1 - Wiener

130076 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Scott Wiener]

Motion appointing Supervisor Scott Wiener, term ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-029

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Yee
Excused: 1 - Wiener

Supervisor Yee Excused from Voting

Supervisor Farrell, seconded by Supervisor Cohen, moved that Supervisor Yee be excused from voting on File No. 130077. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener
Excused: 1 - Yee

130077 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Norman Yee]

Motion appointing Supervisor Norman Yee, term ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-030

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener
Excused: 1 - Yee

Supervisor Cohen Excused from Voting

Supervisor Campos, seconded by Supervisor Mar, moved that Supervisor Cohen be excused from voting on File No. 130078. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Cohen

130078 [Reappointment, Association of Bay Area Governments Executive Board - Supervisor Malia Cohen]

Motion reappointing Supervisor Malia Cohen, term ending June 30, 2014, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Motion No. M13-031

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Cohen

Supervisor Mar Excused from Voting

Supervisor Campos, seconded by Supervisor Yee, moved that Supervisor Mar be excused from voting on File No. 130079. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Wiener, Yee
Excused: 1 - Mar

130079 [Reappointment, Bay Area Air Quality Management District - Supervisor Eric Mar]

Motion reappointing Supervisor Eric Mar, term ending February 1, 2017, to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

Motion No. M13-032

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Wiener, Yee
Excused: 1 - Mar

Supervisor Avalos Excused from Voting

Supervisor Chu, seconded by Supervisor Campos, moved that Supervisor Avalos be excused from voting on File No. 130080. The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Avalos

130080 [Reappointment, Bay Area Air Quality Management District - Supervisor John Avalos]

Motion reappointing Supervisor John Avalos, term ending February 1, 2017, to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

Motion No. M13-033

APPROVED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Avalos

130107 [Appointment, Historic Preservation Commission - Aaron Hyland]

Motion approving the Mayor's nomination for appointment of Aaron Hyland to the Historic Preservation Commission, for a term ending December 31, 2016. (Clerk of the Board) (Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - January 29, 2013.)

Motion No. M13-034

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130108 [Reappointment, Historic Preservation Commission - Diane Matsuda]

Motion approving the Mayor's nomination for reappointment of Diane Matsuda to the Historic Preservation Commission, for a term ending December 31, 2016. (Clerk of the Board)

Motion No. M13-035

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Kim introduced, welcomed, and presented a Certificates of Honor to Jeffrey Chambers and the firefighters who risked their lives in the recent Treasure Island fire.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the family and friends of the late community organizer, Fred Ross, Sr., in recognition of his accomplishments. Supervisors Avalos and Campos shared in this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the staff and faculty of UCSF Philip R. Lee Institute in recognition of their accomplishments and continued community support on the occasion of their 40th anniversary.

BLACK HISTORY MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Mar recognized Dr. Dorothy Randall Tsuruta, presented to Bobby Randall, and JJ Parsons (KPOO 89.5 Radio); and
Supervisor Farrell recognized Michael Carr; and
Supervisor Chiu recognized Jamie Allison-Hope; and
Supervisor Chu recognized Al Williams; and
Supervisor Breed recognized Karim Mayfield and Pat Scott; and
Supervisor Kim recognized LaTonya Jones; and
Supervisor Yee recognized Dr. Allison Metz; and
Supervisor Wiener recognized Brett Andrews; and
Supervisor Campos recognized Marco Senghor; and
Supervisor Cohen recognized Ann deJesus; and
Supervisor Avalos recognized Mary Lavalais.

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

130019 [Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]

Sponsor: Chiu

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to SF Public Library and government.
Walter Paulson; shared in song certain concerns with the Board.
Peter Warfield; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various religious concerns.
Trevor Johnson; expressed concerns relating to ride sharing applications.
Female Speaker; shared in poem certain concerns with the Board.
Star Child; spoke in support of the proposed legislation opposing the national defense authorization act.
Douglas Yep; expressed various concerns.
Aubrey Freedom; spoke in support of the proposed legislation opposing the national defense authorization act.
Phillip Berg; spoke in support of the proposed legislation opposing the national defense authorization act.
John; expressed various concerns.
Female Speaker; spoke in support of the proposed legislation opposing the national defense authorization act.
Winston Chin; spoke in support of the proposed legislation opposing the national defense authorization act.
Michael Lange; spoke in support of the proposed legislation opposing the national defense authorization act.
Nadia; spoke in support of the proposed legislation opposing the national defense authorization act.
Alishedo Meadow; spoke in support of the proposed legislation opposing the national defense authorization act.
Robyn Corwin; spoke in support of the proposed legislation opposing the national defense authorization act.

Supervisor Mar was noted absent at 6:20 p.m., and noted present at 6:25 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130152 [UCSF Philip R. Lee Institute for Health Policy Studies Day - February 27, 2013]

Sponsor: Mar

Resolution commending the Philip R. Lee Institute for Health Policy Studies at the University of California, San Francisco (UCSF), and declaring February 27, 2013, as UCSF Philip R. Lee Institute for Health Policy Studies Day in the City and County of San Francisco.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Wiener, Yee
Absent: 1 - Mar

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 130151 be severed so that it may be considered separately.

130151 [Opposing the Indefinite Detention Provisions of the National Defense Authorization Act]

Sponsors: Chiu; Avalos, Breed, Campos, Kim and Mar

Resolution opposing the indefinite detention provisions of the National Defense Authorization Act, instructing public agencies to decline requests by Federal agencies acting under detention powers, urging law enforcement officials to allow detainees to due process, and requesting members of Congress to repeal the detention provisions of the Act.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Wiener, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Wiener, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130170 [Fred Ross Sr. Presidential Medal of Freedom]

Sponsors: Mar; Campos and Avalos

Resolution urging President Barack Obama to award posthumously the Presidential Medal of Freedom to legendary organizer, Fred Ross, Sr.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130170. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Chiu, seconded by Supervisor Farrell, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Chiu, seconded by Supervisor Farrell, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130169 [Commending Supervisor Carmen Chu]

Resolution commending and honoring Supervisor Carmen Chu for her distinguished service as a Supervisor of the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130169. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130131 [Administrative Code - Agricultural Inspection Fees]

Ordinance amending the Administrative Code, Section 1.10, to revise registration fees for inspecting agricultural products; and making environmental findings. (Public Health Department)

02/08/13; RECEIVED FROM DEPARTMENT.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/28/2013.

130132 [Administrative Code - Weights and Measures Fees]

Ordinance amending the Administrative Code, Section 1.13-5, to revise registration fees for inspecting and testing weighing and measuring devices as provided by State law; and making environmental findings. (Public Health Department)

02/08/13; RECEIVED FROM DEPARTMENT.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/28/2013.

130133 [Administrative Code - Public Health Solid Waste Penalties Fund]

Ordinance amending the Administrative Code, by adding Section 10.100-217, to establish a fund for the deposit of civil penalties assessed by the Department of Public Health and paid by operators of solid waste facilities for violation of solid waste disposal laws; and making environmental findings. (Public Health Department)

02/08/13; RECEIVED FROM DEPARTMENT.

02/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/28/2013.

130135 [Settlement of Lawsuit - Shawn and Sarah Myers - $200,000]

Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for $200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

02/11/13; RECEIVED FROM DEPARTMENT.

02/26/13; RECEIVED AND ASSIGNED to Rules Committee.

130136 [Settlement of Lawsuit - Veronica Hinkley Reck - $70,000]

Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for $70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

02/11/13; RECEIVED FROM DEPARTMENT.

02/26/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

130110 [Street Artist Spaces - Market Street at Spear Street]

Resolution approving designation of five selling spaces on Market Street, north side, at Spear Street, for Saturday use by street artists certified by the Arts Commission; exempting said spaces from the regulations of Police Code, Section 2405(c), relating to street artist display size, distance from entrances, and distance between artists' displays. (Arts Commission)

02/11/13; RECEIVED FROM DEPARTMENT.

02/26/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130137 [Settlement of Unlitigated Claim - SF Works - $110,000]

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against SF Works for $110,000. (City Attorney)

02/11/13; RECEIVED FROM DEPARTMENT.

02/26/13; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:16 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, March 5, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAR 11 2013

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Recommendation of the Land Use and Economic Development Committee

130019 [Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]

Sponsor: Chiu

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

FINALLY PASSED

Recommendations of the Rules Committee

130034 [Settlement of Lawsuit - Mary Bull - $465,000]

Ordinance authorizing settlement of a lawsuit filed by Mary Bull, Lisa Giampaoli, Alexis Bronson, Micky Mangosing, Leigh Fleming, Laura Timbrook, J. Quechan Allen, Diana Smith, Michele De Ranleau, Michael Marron, Steve Noh, Sister Bernie Galvin, and Brian Vowell against the City and County of San Francisco for an amount not to exceed $465,000; the lawsuit was filed on April 23, 2003, in United States District Court, Northern District of California, Case No. C03-1840 (CRB); entitled Mary Bull et al. v. City and County of San Francisco. (City Attorney)

FINALLY PASSED

130086 [Administrative Code - Dissolving Neighborhood Community Justice Task Force]

Ordinance amending the Administrative Code, by repealing Article VIII, to dissolve the Neighborhood Community Justice Task Force. (Clerk of the Board)

PASSED, ON FIRST READING

130097 [Dissolving Area Plan Infrastructure Finance Committee]

Resolution repealing Resolution No. 432-10 to dissolve the Area Plan Infrastructure Finance Committee. (Clerk of the Board)

ADOPTED

120349 [Appointments, San Francisco Health Authority - Susan Currin, Allen Meyer, Elena Tinloy, and Eddie Chan]

Motion appointing Susan Currin, Allen Meyer, and Elena Tinloy, terms ending January 15, 2015, and Eddie Chan, term ending January 15, 2016, to the San Francisco Health Authority. (Clerk of the Board)

Motion No. M13-036

APPROVED

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130020 [Contract Modification - Children's Council of San Francisco Management of Preschool Subsidies - Not to Exceed $40,730,000]

Sponsor: Mayor

Resolution approving the contract modification with the Children's Council of San Francisco to manage preschool subsidies to eligible children of the City for an amount not to exceed $40,730,000 for the period of July 1, 2012, through June 30, 2015.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130046 [Accept and Expend Gift - Knight Living Trust - $500,000]

Sponsor: Yee

Resolution authorizing the Department of Public Health, Laguna Honda Hospital, and Rehabilitation Center to retroactively accept and expend a gift of $500,000 to the Laguna Honda Gift Fund from the Knight Living Trust for the period of July 1, 2012, through June 30, 2032.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130088 [Accept and Expend Grant - Improving Early Learning and Development Programs for Young Children - $1,269,400]

Sponsor: Mayor

Resolution authorizing the Children and Families Commission to retroactively accept and expend a grant in the amount of $1,269,400 from the United States Department of Education through the California Department of Education to support an Early Learning Quality Improvement System for the period of July 1, 2012, through December 31, 2015.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130124 [Correcting the Accept and Expend Grant Amount in Resolution No. 384-12 - Compensation for Crime Victims - $2,142,414]

Sponsor: Avalos

Resolution correcting the not to exceed amount in Resolution No. 384-12, a resolution retroactively authorizing the Office of the District Attorney to accept a grant from the California Victim Compensation and Government Claims Board for a project entitled "Joint Powers Agreement," from $714,138 to $2,142,414 for the period of July 1, 2012, through June 30, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120067 [Liquor License Transfer - 135 Powell Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 345 Eddy Street to 135 Powell Street (District 3), to Daniel J. Kramer of Haas Najarian, LLP, for Walgreens Co., dba Walgreens, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 3, beginning on Line 1, by adding "WHEREAS, After working with the Board of Supervisors, Walgreens agreed to purchase two liquor licenses, one in the Tenderloin and one from a premises located in a census tract with undue concentration in either District 3 or District; and WHEREAS, Walgreens also agreed to additional voluntary conditions as described in a letter included in this file and dated February 21, 2013, from the law firm Strike & Techel;'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested to be added as sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130098 [Accept and Expend Grant - Sloat Boulevard Pedestrian Safety Improvements Project - $797,000]

Sponsor: Yee

Resolution authorizing the Department of Public Works to retroactively accept and expend a Federal grant in the amount of $797,000 from the Federal Highway Administration for the Sloat Boulevard Pedestrian Safety Improvements Project for a period of January 2013 through December 2016.

ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

Supervisor Breed Excused from Voting

Supervisor Farrell, seconded by Supervisor Wiener, moved that Supervisor Breed be excused from voting on File No. 130139. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

130139 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor London Breed]

Motion appointing Supervisor London Breed, term ending January 31, 2015, to the Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M13-039

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu. Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Darian Smith; expressed concerns relating to standard of living for the blind community.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various concerns relating to taxi services and mandates.
Peter Warfield; expressed concerns relating to the SF Public Library.
Cottie Hawkins; expressed concerns relating to gun violence.
Mark Rugger; expresed concerns relating to taxi services and mandates.
Male Speaker; expressed concerns relating to taxi services and mandates.
Mary Dwyer; expressed concerns relating to taxi services and mandates.
Gary Cornhole; exprressed concerns relating to taxi services and mandates.
Joe Herisno; expressed concerns relating to taxi services and mandates.
John DiDonna; shared in poem certain concerns with the Board.
Walter Paulson; shared in song certain concerns with the Board.
Douglas Yep; expressed various concerns.
John Mburu Njoroge; expressed various religious concerns.
Otto Duffy; expressed concerns relating to land use matters.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130174 [Approval of a 60 Day Extension for Planning Commission Review of Conversion, Demolition, Merger, and Conformity of Residential Uses (File No. 130041)]

Sponsor: Avalos

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130041) amending the Planning Code by repealing Sections 790.84, 790.86, 890.84, and 890.86 and amending Section 317 and various other sections to: 1) revise the criteria for the residential demolition, conversion and merger; 2) standardize definitions of residential demolition, conversion and merger across various use districts; 3) permit the enlargement or alteration of dwelling units which are nonconforming as to density in districts where dwelling units are principally permitted if there is no increase in nonconformity of height, bulk, or required rear yards or setbacks; 4) permit alterations to nonconforming uses or noncomplying structures to comply with disabled access requirements or to provide secure bicycle parking; 5) establish a strong presumption in favor of preserving dwelling units in enforcement of requirements for nonconforming uses, structures and lots; and 6) making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

ADOPTED

130219 [Rosa Parks Japanese Bilingual Bicultural Program Day - March 9, 2013]
Sponsors: Mar; Chiu and Campos
Resolution declaring March 9, 2013, as Rosa Parks Japanese Bilingual Bicultural Program Day; and recognizing the 40th anniversary of its founding.

Supervisors Chiu and Campos requested to be added as co-sponsors.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130219. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130164 [Settlement of Lawsuit - Mary Allen, et al. - $40,000]
Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for $40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

02/20/13; RECEIVED FROM DEPARTMENT.

03/05/13; RECEIVED AND ASSIGNED to Rules Committee.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

MAR 18 2013

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Tuesday, March 12, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 5, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130242 [Formal Policy Discussions - March 12, 2013]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted by Supervisor representing District 4. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. In light of major upcoming and potential new projects in San Francisco that may bring job creation and spur economic development, such as America's Cup and the proposed Warriors arena, how do you plan on working with neighborhoods that are further in proximity to ensure that these economic benefits trickle down to all communities in San Francisco? (Supervisor Tang, District 4)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Following public comment this matter was filed. No further action was taken.

DISCUSSED AND FILED

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

130039 [Police Code - Reporting Ammunition Sales of 500 or More Rounds]
Sponsors: Mayor; Cohen and Campos

Ordinance amending the Police Code, Section 615, to require firearms dealers to report to the Chief of Police the sale of 500 or more rounds of ammunition in a single transaction.

FINALLY PASSED

130040 [Police Code - Possession or Sale of Law Enforcement or Military Ammunition]
Sponsors: Mayor; Cohen, Breed and Campos

Ordinance amending the Police Code, by adding Section 618, to prohibit the possession or sale of certain ammunition, including black talon ammunition and ammunition intended exclusively for law enforcement and military purposes.

FINALLY PASSED

Recommendation of the Rules Committee

130086 [Administrative Code - Dissolving Neighborhood Community Justice Task Force]
Sponsor: Chiu

Ordinance amending the Administrative Code, by repealing Article VIII, to dissolve the Neighborhood Community Justice Task Force.

Supervisor Chiu requested to be added as sponsor.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan.

Privilege of the floor was granted to Devyani Jain (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be AMENDED on Page 3, Line 19, by deleting 'June 12, 2012' and adding 'July 17, 2012 and March 12, 2013'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos requested to be added as sponsor; Superviosrs Farrell and Chiu requested to be added as and co-sponsors.

Motion No. M13-042

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Privilege of the floor was granted to Devyani Jain (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Privilege of the floor was granted to Devyani Jain (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred from the Land Use and Economic Development Committee Without Recommendation

121168 [Street Encroachment - 54 Peralta Avenue]

Sponsor: Chiu

Resolution granting revocable permission to Aquilina Family 2001 Revocable Trust to occupy a portion of the public right-of-way to remove and reconstruct a portion of a City owned and maintained retaining wall to construct a concrete driveway ramp, with accessible transition slopes to conform to the existing sidewalk grade, that will provide vehicular access to a proposed new residence with a garage at 54 Peralta Avenue (Assessor's Block No. 5512, Lot No. 029), conditioned upon the payment of an annual assessment fee of $215; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Committee

121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]

Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings. (City Administrator)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130117 [Appropriating $2,774,224 of Fee Revenue for the Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $2,774,224 of fee revenue for the Planning Department in FY2012-2013 to reduce the backlog of planning cases and building permits requiring review, and funding the Permit and Project Tracking System, and Central Corridor Environmental Impact Report, including $1,672,224 to fund staff positions, $807,000 to fund office space reconfiguration, records and information technology improvements, and updated guidelines and procedures, $45,000 to fund training and configuration needs of the Permit and Project Tracking System, and $250,000 to fund the Central Corridor Environmental Impact Report.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130118 [Public Employment - Amendment to the Annual Salary Ordinance for Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 8 positions (2.0 FTEs) Class 1404 (Clerk), 5275 (Planner Technician), 5277 (Planner I), 5278 (Planner II), 5291 (Planner III), and 5298 (Planner III - Environmental Review) in the Planning Department to focus on reducing the backlog of planning cases and building permits requiring review.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130120 [Accept and Expend Grant - Streetscape and Circulation Improvements - Folsom and Howard Streets - $200,000]

Sponsor: Mayor

Resolution authorizing the Planning Department to retroactively accept and expend a grant in the amount of $200,000 from the Metropolitan Transportation Commission for the inclusion of streetscape and circulation improvements on Folsom and Howard Streets between Second and Fifth Streets in the Central Corridor Draft Plan environmental analysis for the period of February 8, 2012, through July 31, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130122 [Accept and Expend Grant - Boeddeker and Promontory Parks Projects - $776,500]

Sponsors: Mayor; Cohen and Kim

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in the amount of $776,500 from the California Department of Housing and Community Development for the Recreation and Park Department's Boeddeker Park Project ($450,000) and the Mayor's Office of Housing Promontory Park Project ($326,500) for the period of November 28, 2012, through June 30, 2016.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130142 [Appropriating $118,107 for the San Francisco Department on the Status of Women]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener, Campos and Yee

Ordinance appropriating $118,107 to the San Francisco Department on the Status of Women for FY2012-2013.

Supervisor Yee requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130178 [Accept and Expend Grant - CalRecycle Tire Derived Product Program - $150,000]

Sponsor: Farrell

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a CalRecycle Tire-Derived Product (TDP) Grant in the amount of $150,000 from the California Department of Resources Recycling and Recovery for the purchase of TDP materials for use at various City park sites for the period of June 1, 2011, through March 31, 2013. (Recreation and Park Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130190 [Multifamily Housing Revenue Obligations - 2175 Market Street Apartments - $30,000,000]

Sponsor: Wiener

Resolution authorizing the execution/issuance, sale and delivery of a multifamily mortgage revenue note and subordinate multifamily housing revenue bonds in an aggregate principal amount not to exceed $30,000,000 (together, the "Obligations") for the purpose of providing financing for the acquisition and construction of an 88-unit multifamily residential rental housing development known as the 2175 Market Street Apartments; approving the form of and authorizing the execution of a funding loan agreement and borrower loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a subordinate trust indenture providing the terms and conditions of the subordinate bonds; approving the form of and authorizing the execution of a subordinate loan agreement relating to the subordinate bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the Obligations and the project; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this resolution; and ratifying and approving any action heretofore taken in connection with the Obligations and the project.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130191 [Apply For - CalHome Program]

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing to submit an application to the California Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130029 [Building Code - Seismic Standards]

Sponsor: Chiu

Ordinance amending the Building Code, and adding various sections, concerning seismic standards and making conforming changes; making environmental findings; making findings pursuant to California Health and Safety Code, Section 17958.5; and directing the Clerk of the Board to forward this legislation to the California Building Standards Commission.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred from the Land Use and Economic Development Committee Without Recommendation

130001 [General Plan Amendments - Western South of Market Area Plan]

Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)

Privilege of the floor was granted to Corey Teague (Planning Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

130002 [Planning Code - Implementing the Western South of Market Area Plan]

Sponsor: Kim

Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Corey Teague (Planning Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

130003 [Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]

Sponsor: Kim

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1.

Privilege of the floor was granted to Corey Teague (Planning Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

130004 [Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]

Sponsor: Kim

Ordinance amending the Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings.

Privilege of the floor was granted to Corey Teague (Planning Department) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the Parent Teacher Association of the Argonne Elementary School in recognition of their accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130223 [Public Hearing - Term Sheet Endorsement - CPMC Development Agreement]

Hearing of persons interested in or objecting to the proposed Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency and the Board of Supervisors. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the endorsement of a Term Sheet for revisions to a proposed Development Agreement with California Pacific Medical Center (CPMC) as referenced in File No. 130232. Ken Rich (Office of Economic and Workforce Development), Dr. Warren Browner (California Pacific Medical Center), Barbara Garcia, Director (Department of Public Health), Rhonda Simmons (Office of Economic and Workforce Development), and Olson Lee, Director (Mayor's Office of Housing) provided an overview of the matter and responded to questions raised throughout the discussion. Abdalla Megahed; Rachel Ebora; Emily Lee; Calvin Welch; Gordon Mar; Maelayne Morgan; Mark Aaronson; Manuel Flores; Benjamin Aune; Male Speaker; Hatty Lee; Lorenzo Listana; Ryan Thayer; John Gressman; Bernie Choden; Danny Campbell; Michael Lyon; Ken Barnes; Jennifer Warburg; Rebecca Rolfe; Dr. Ed Kersh; Dr. Karen Makely; Dr. Lisa Everson; Madelene Kopperdahl; Jane Sandoval; Barbara Savitz; Eileen Prendiville; Dina Hilliard; Michael Smithwick; James Tracy; Brian Sang; Female Speaker; Female Speaker; Rose Chung; Mark Sakioto; David Elliott Lewis; Keyal; spoke in support of the Term Sheet endorsement. Male Speaker; spoke neither in support nor against the Term Sheet endorsement. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130232 [Term Sheet Endorsement - CPMC Development Agreement]

Sponsors: Mayor; Chiu, Farrell and Campos

Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency and the Board of Supervisors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMITTEE REPORTS

Recommendations of the Rules Committee

130209 [Appointment, Historic Preservation Commission - Jonathan Pearlman]

Motion approving the Mayor's nomination for appointment of Jonathan Pearlman to the Historic Preservation Commission, Seat No. 3, for a term ending December 31, 2016. (Clerk of the Board)

Motion No. M13-043

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130210 [Appointment, Historic Preservation Commission - Ellen Johnck]

Motion approving the Mayor's nomination for appointment of Ellen Johnck to the Historic Preservation Commission, Seat No. 5, for a term ending December 31, 2016. (Clerk of the Board)

Motion No. M13-044

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130146 [Health Code - Commercial Dog Walking Regulations]

Sponsor: Wiener

Ordinance amending the Health Code to correct numbering and clarify provisions of the Commercial Dog Walking Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdalla Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Carol Sanders; expressed concerns regarding the anti-Arab and anti-Muslim bus advertisements.
Rachel Roberts; expressed concerns regarding the anti-Arab and anti-Muslim bus advertisements.
Male Speaker; expressed various religious concerns.
Female Speaker; expressed concerns regarding the anti-Arab and anti-Muslim bus advertisements.
Male Speaker; expressed concerns regarding the anti-Arab and anti-Muslim bus advertisements.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130236 [Honoring Leslie E. Wong]

Sponsor: Chiu

Resolution honoring San Francisco State University President Leslie E. Wong.

ADOPTED

130237 [Urging the California State Legislature to Pass Assembly Bill 1199]

Sponsors: Mar; Campos

Resolution urging the California State Legislature to pass Assembly Bill 1199 to create a smoothing formula for enrollment-related funding losses for any community college that is under severe sanction from accreditation agencies and is also suffering an enrollment decline.

ADOPTED

130238 [Arbor Week - March 7-14, 2013]

Sponsor: Wiener

Resolution celebrating the many benefits of the City's urban forest, declaring March 7, 2013, through March 14, 2013, as Arbor Week in the City and County of San Francisco.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Campos requested that File No. 130231 be severed so that it may be considered separately.

130231 [Committee of the Whole - Term Sheet Endorsement - CPMC Development Agreement]

Sponsors: Chiu; Farrell and Campos

Motion directing the Board of Supervisors to hold a public hearing on March 12, 2013, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution endorsing a Term Sheet for revisions to a proposed development agreement with California Pacific Medical Center (CPMC) for CPMC's Long Range Development Plan, including new hospitals at the Cathedral Hill and St. Luke's Campuses, with any final development agreement subject to the approval of the Planning Commission, the Municipal Transportation Agency, and the Board of Supervisors.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130231. There were no speakers. The President declared public comment closed.

Motion No. M13-041

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

PROPOSED ORDINANCE

130071 [Settlement of Lawsuit - Espinoza (named in the complaint as Carlos Espinosa) - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Cadena-Espinoza (named in the complaint as Carlos Espinosa) and Noemi Gereda-Cerrato against the City and County of San Francisco for $95,000; the lawsuit was filed on January 6, 2011, in the Superior Court, Case No. CGC-11-507063; and removed on May 9, 2011, to the United States District Court - Northern District of California, Case No. 11-cv-02282 JSW; entitled Carlos Espinosa, et al., v. City and County of San Francisco, et al. (City Attorney)

02/25/13; RECEIVED FROM DEPARTMENT.

03/12/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130220 [Settlement of Claim - Roman Carraso]

Resolution approving the settlement of the unlitigated claim filed by Roman Carrasco against the City and County of San Francico for $42,000; claim was filed on August 1, 2012. (City Attorney)

02/25/13; RECEIVED FROM DEPARTMENT.

03/12/13; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:20 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

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MAR 22 2013

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Tuesday, March 19, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Jane Kim, Eric Mar, Katy Tang, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisors Farrell and Yee were noted absent. There was a quorum.

Supervisors Farrell and Yee Excused from Voting

Supervisor Campos, seconded by Supervisor Wiener, moved that Supervisors Farrell and Yee be excused from voting. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 12, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program] .

Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings. (City Administrator)
(Fiscal Impact)

FINALLY PASSED

130117 [Appropriating $2,774,224 of Fee Revenue for the Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $2,774,224 of fee revenue for the Planning Department in FY2012-2013 to reduce the backlog of planning cases and building permits requiring review, and funding the Permit and Project Tracking System, and Central Corridor Environmental Impact Report, including $1,672,224 to fund staff positions, $807,000 to fund office space reconfiguration, records and information technology improvements, and updated guidelines and procedures, $45,000 to fund training and configuration needs of the Permit and Project Tracking System, and $250,000 to fund the Central Corridor Environmental Impact Report.

FINALLY PASSED

130118 [Public Employment - Amendment to the Annual Salary Ordinance for Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 8 positions (2.0 FTEs) Class 1404 (Clerk), 5275 (Planner Technician), 5277 (Planner I), 5278 (Planner II), 5291 (Planner III), and 5298 (Planner III - Environmental Review) in the Planning Department to focus on reducing the backlog of planning cases and building permits requiring review.

FINALLY PASSED

130142 [Appropriating $118,107 for the San Francisco Department on the Status of Women]

Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener, Campos and Yee

Ordinance appropriating $118,107 to the San Francisco Department on the Status of Women for FY2012-2013.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130029 [Building Code - Seismic Standards]

Sponsor: Chiu

Ordinance amending the Building Code, and adding various sections, concerning seismic standards and making conforming changes; making environmental findings; making findings pursuant to California Health and Safety Code, Section 17958.5; and directing the Clerk of the Board to forward this legislation to the California Building Standards Commission.

FINALLY PASSED

130146 [Health Code - Commercial Dog Walking Regulations]

Sponsor: Wiener

Ordinance amending the Health Code to correct numbering and clarify provisions of the Commercial Dog Walking Ordinance.

FINALLY PASSED

Recommendations of the Rules Committee

130111 [Settlement of Lawsuit - Derek Kerr, M.D. - $750,000]
Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for $750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130112 [Settlement of Lawsuit - Rissa Kossen, et al. - $27,500]
Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for $27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

PASSED ON FIRST READING

130113 [Settlement of Lawsuit - Ana Guevara - $75,000]
Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for $75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

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Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for $200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

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Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for $70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130164 [Settlement of Lawsuit - Mary Allen, et al. - $40,000]
Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for $40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

PASSED ON FIRST READING

130165 [Settlement of Lawsuits - Greenwich Associates LLC and Octavia Associates LLC - $360,632.36]

Ordinance authorizing settlement of the lawsuits filed by Greenwich Associates LLC and Octavia Associates LLC against the City and County of San Francisco for $360,632.36; the lawsuits were filed on September 26, 2012, in San Francisco County Superior Court, Case Nos. CGC-12-524729 and CGC-12-524730; entitled Greenwich Associates LLC v. City and County of San Francisco, et al. and Octavia Associates LLC v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130166 [Settlement of Lawsuit - Regina Potascher - $87,500]

Ordinance authorizing settlement of the lawsuit filed by Regina Potascher, by her conservator Kim Schwarcz against the City and County of San Francisco for $87,500; the lawsuit was filed on November 14, 2011, in San Francisco Superior Court, Case No. CGC-11-515780; entitled Regina Potascher, by her conservator Kim Schwarcz, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130137 [Settlement of Unlitigated Claim - SF Works - $110,000]

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against SF Works for $110,000. (City Attorney)

ADOPTED

130212 [Appointment, Bicycle Advisory Committee - Marc Brandt]

Motion appointing Marc Brandt, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-045

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Referred from the Land Use and Economic Development Committee Without Recommendation

130001 [General Plan Amendments - Western South of Market Area Plan]

Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang
Noes: 1 - Wiener
Excused: 2 - Farrell, Yee

130002 [Planning Code - Implementing the Western South of Market Area Plan]
Sponsor: Kim

Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang
Noes: 1 - Wiener
Excused: 2 - Farrell, Yee

130003 [Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]

Sponsor: Kim

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang
Noes: 1 - Wiener
Excused: 2 - Farrell, Yee

130004 [Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]

Sponsor: Kim

Ordinance amending the Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang
Noes: 1 - Wiener
Excused: 2 - Farrell, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130173 [Adjusting the Access Line Tax with the Consumer Price Index of 2013]

Sponsor: Mayor

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2013, and adjusting the Access Line Tax by the same rate.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

130175 [Accept and Expend Grant - Keys to Freedom Program - $599,894]

Sponsor: Breed

Resolution authorizing the Sheriff's Department to retroactively accept and expend $599,894 in funds from the U.S. Department of Justice, Office of Justice Programs, through the Second Chance Act Reentry Program for adult offenders with co-occurring substance abuse and mental health disorders, for The Keys to Freedom Program to increase public safety, and reduce recidivism among incarcerated and recently released women and transgendered adults in the City and County of San Francisco; and waiving any indirect costs for the period of October 1, 2012, through September 30, 2014.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

130188 [Accept and Expend Grant - Trust for Public Land - $3,350,000]

Sponsor: Kim

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant of up to $3,350,000 from the Trust for Public Land for the design and construction of improvements to Father Alfred E. Boeddeker Park for the period of August 13, 2012, through March 3, 2014.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Recommendations of the Land Use and Economic Development Committee

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]

Sponsor: Tang

Ordinance amending the Planning and Administrative Codes to correct errors; make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; amend the Zoning Map to remove the incorrect Chinese Hospital Special Use District designation from Assessor's Block No. 0192, Lot No. 041; and adopt findings, including findings under the California Environmental Quality Act, and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

130181 [Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a $2,379,464 Loan to Hotel Isabel, 1091 Mission Street]

Sponsor: Kim

Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a $2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Recommendations of the Neighborhood Services and Safety Committee

121063 [Liquor License Transfer - 717 Battery Street]

Resolution determining that the transfer of a Type 57 special on-sale general license from 4461 Mission Street to 717 Battery Street (District 3), to MXB Battery Operations, L.P., for The Battery, will serve the public convenience and necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

121083 [Liquor License - 1 Polk Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Andrew and Jennifer Hall for The Beer Hall, LLC, located at 1 Polk Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

121140 [Liquor License Transfer - 2001 Market Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1169 Market Street to 2001 Market Street (District 8), to Whole Foods Market California, Inc., for the Whole Foods Market, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Recommendations of the Rules Committee

120899 [Municipal Elections Code - Miscellaneous Amendments]

Sponsor: Kim

Ordinance amending the Municipal Elections Code, Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810, to: incorporate state law provisions governing Community College and Board of Education candidates; change deadlines for withdrawal of candidacy and candidate qualification statements; change the public inspection period for candidate materials; change requirements for petition circulator badges; delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; incorporate state law provisions governing signatures in lieu of filing fees; reinstate candidate filing fee provisions; and make other technical amendments.

Supervisor Kim, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED on Page 16, to delete Lines 12 and 13. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

121156 [Appointment, Reentry Council - Robert Bowden]

Motion appointing Robert Bowden, term ending July 17, 2013, to the Reentry Council. (Clerk of the Board)
(Supervisor Cohen dissented in Committee.)

Motion No. M13-046

APPROVED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

130115 [Appointment, Port Commission - Mel Murphy]

Motion confirming the Mayor's appointment of Mel Murphy, term ending May 1, 2016, to the Port Commission. (Mayor)

Supervisor Wiener, seconded by Supervisor Breed, moved that this Motion be CONTINUED to March 26, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Supervisor Cohen Excused from Voting

Supervisor Mar, seconded by Supervisor Wiener, moved to excuse Supervisor Cohen from voting on File No. 130211. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Kim, Mar, Tang, Wiener
Excused: 3 - Cohen, Farrell, Yee

130211 [Appointment, Association of Bay Area Government Executive Board - Supervisor Malia Cohen]

Motion amending Board of Supervisors Motion No. M13-031 to appoint Supervisor Malia Cohen to the Association of Bay Area Governments Executive Board, for a term ending June 30, 2013. (Clerk of the Board)

Motion No. M13-047

APPROVED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Kim, Mar, Tang, Wiener
Excused: 3 - Cohen, Farrell, Yee

The Board recessed at the hour of 3:20 p.m. and reconvened at 3:40 p.m.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

WOMEN'S HISTORY MONTH

Emily M. Murase, Executive Director; spoke on behalf of the Department on the Status of Women. Commissioners Kay Gulbengay and Andrea Shorter spoke on behalf of the Commission on the Status of Women.

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:

Supervisor John Avalos recognized Stephanie Felder;
Supervisor London Breed recognized Debby Davidson;
Supervisor David Campos recognized Maggie Sullivan (accepted by her father, Tom Sullivan);
Supervisor David Chiu recognized Tina Moylan;
Supervisor Malia Cohen recognized Marlena Jackson;
Supervisor Jane Kim recognized Mimi Yee;
Supervisor Eric Mar recognized Gael Beresford;
Supervisor Katy Tang recognized Laura Tam;
Supervisor Katy Tang, on behalf of Supervisor Mark Farrell, recognized Julia Hartz;
Supervisor Scott Wiener recognized Dr. Sue Carlisle; and
Supervisor John Avalos, on behalf of Norman Yee, recognized Donna M. Cahill.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Bill Dillon; expressed concerns relating to public comment via phone.
Male Speaker; expressed various religious concerns.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to senior services.
Dr. Hunter Gaskie; expressed concerns relating to intimidation surrounding Planned Parenthood facilities.
Jane Kennedy; expressed concerns relating to underground utilities.
Josephine Coffey; expressed concerns relating to anti-Arab and anti-Muslim advertising on Muni.
Male Speaker; expressed concerns relating to garbage services.
Douglas Yep; expressed concerns relating to the Whistle Blower Program.
Valarie Swartz; expressed concerns relating to harassment and police reporting requirements.
Beverly Upton; expressed concerns relating to intimidation surrounding Planned Parenthood facilities.
Peter Warfield; expressed concerns relating to the SF Public Library.
Ace Washington; expressed concerns relating to housing.
Anne Surrot; expressed concerns relating to protection for women.
Female Speaker; expressed various concerns.
Cleft; expressed concerns relating to funding for public services.
Carl McBardo; expressed concerns relating to taxi medallions issuance and illegal operator.
Alisa Berha; expressed concerns relating to anti-Arab and anti-Muslim advertising on Muni.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130258 [Approval of a 60 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]

Sponsor: Kim

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for Student Housing conversions; to require a posting to announce that the report is available for public review; and to provide an enforcement mechanism for failure to submit the annual report; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 130257 be severed from the For Adoption Without Committee Reference.

130257 [Anti-Arab and Anti-Muslim Bus Advertisements]
Sponsors: Chiu; Avalos, Breed, Campos, Cohen, Kim, Mar and Yee
Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener
Excused: 2 - Farrell, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

130244 [Health, Business and Tax Regulations Code - Regulate and Establish Annual Fees - Cottage Food Operations]

Ordinance amending the Health Code, by adding Section 452.1, to establish a procedure for regulating Cottage Food Operations; amending the Business and Tax Regulations Code, by adding Section 249.1A, to establish annual fees for Cottage Food Operations; and making environmental findings. (Public Health Department)

03/08/13; RECEIVED FROM DEPARTMENT.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/18/2013.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:55 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, March 26, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

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Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

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ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

130110 [Street Artist Spaces - Market Street at Spear Street]

Resolution approving designation of five selling spaces on Market Street, north side, at Spear Street, for Saturday use by street artists certified by the Arts Commission; exempting said spaces from the regulations of Police Code, Section 2405(c), relating to street artist display size, distance from entrances, and distance between artists' displays. (Arts Commission)

ADOPTED

Recommendations of the Rules Committee

130111 [Settlement of Lawsuit - Derek Kerr, M.D. - $750,000]

Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for $750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

130112 [Settlement of Lawsuit - Rissa Kossen, et al. - $27,500]

Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for $27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

FINALLY PASSED

130113 [Settlement of Lawsuit - Ana Guevara - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for $75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

130135 [Settlement of Lawsuit - Shawn and Sarah Myers - $200,000]

Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for $200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

130136 [Settlement of Lawsuit - Veronica Hinkley Reck - $70,000]

Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for $70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

130164 [Settlement of Lawsuit - Mary Allen, et al. - $40,000]

Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for $40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

FINALLY PASSED

130165 [Settlement of Lawsuits - Greenwich Associates LLC and Octavia Associates LLC - $360,632.36]

Ordinance authorizing settlement of the lawsuits filed by Greenwich Associates LLC and Octavia Associates LLC against the City and County of San Francisco for $360,632.36; the lawsuits were filed on September 26, 2012, in San Francisco County Superior Court, Case Nos. CGC-12-524729 and CGC-12-524730; entitled Greenwich Associates LLC v. City and County of San Francisco, et al. and Octavia Associates LLC v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

130166 [Settlement of Lawsuit - Regina Potascher - $87,500]

Ordinance authorizing settlement of the lawsuit filed by Regina Potascher, by her conservator Kim Schwarcz against the City and County of San Francisco for $87,500; the lawsuit was filed on November 14, 2011, in San Francisco Superior Court, Case No. CGC-11-515780; entitled Regina Potascher, by her conservator Kim Schwarcz, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]

Sponsor: Tang

Ordinance amending the Planning and Administrative Codes to correct errors; make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; amend the Zoning Map to remove the incorrect Chinese Hospital Special Use District designation from Assessor's Block No. 0192, Lot No. 041; and adopt findings, including findings under the California Environmental Quality Act, and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

Supervisor Mar was noted present at 2:10 p.m.

130181 [Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a $2,379,464 Loan to Hotel Isabel, 1091 Mission Street]

Sponsor: Kim

Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a $2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

120899 [Municipal Elections Code - Miscellaneous Amendments]

Sponsor: Kim

Ordinance amending the Municipal Elections Code, Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810, to: incorporate state law provisions governing Community College and Board of Education candidates; change deadlines for withdrawal of candidacy and candidate qualification statements; change the public inspection period for candidate materials; change requirements for petition circulator badges; delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; incorporate state law provisions governing signatures in lieu of filing fees; reinstate candidate filing fee provisions; and make other technical amendments.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130115 [Appointment, Port Commission - Mel Murphy]

Motion confirming the Mayor's appointment of Mel Murphy, term ending May 1, 2016, to the Port Commission. (Mayor)

Motion No. M13-048

APPROVED by the following vote:

Ayes: 7 - Breed, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 4 - Avalos, Campos, Chiu, Mar

NEW BUSINESS

Recommendations of the Land Use and Economic Development Committee

121104 [Planning Code - Landmark Designation - 320-326 Judah Street (the Doelger Building)]

Sponsor: Wiener

Ordinance designating 320-326 Judah Street (the Doelger Building), Assessor's Block No. 1763, Lot Nos. 020 and 021, as a Landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130042 [Planning Code - Medical Service Use - Sacramento Neighborhood Commercial District]

Sponsor: Farrell

Ordinance amending the Planning Code, Section 724.1, and related portions of Table 724, to permit a change of use from a business or professional service use to medical service use on the first floor or below in the Sacramento Neighborhood Commercial District; and making environmental findings, Planning Code, Section 101.1, findings, and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Pastor Schuyler Rhodes of Temple United Methodist Church in recognition of his accomplishments and continued community support. Supervisor Cohen shared in this commendation.

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

121162 [Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]

Sponsor: Mayor

Ordinance amending the Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program (Program) by reducing certain on-site requirements under Charter, Section 16.110; providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on- or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; clarifying that the threshold application of the Program to projects of 10 units or more applies to the South of Market Youth and Family Special Use District and all other areas of the City; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.

Privilege of the floor was granted to Daniel Adams (Mayor's Office of Housing) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to minute summaries, open government, and local laws. (See additional information submitted on Page 9).
Dale Seymour; spoke relating to tours in the Tenderloin.
Anne Brubaker; expressed concerns relating to undergrounding of utilities.
Douglas Yep; expressed various concerns.
Randy Tran; spoke relating to Pastor Schuyler Rhodes commendation.
Male Speaker; expressed various concerns.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130268 [Supporting the Bay Area Rapid Transit District's Pilot Program to Allow Full-Time Bicycle Access]

Sponsor: Avalos

Resolution supporting the Bay Area Rapid Transit District's Pilot Program to allow full-time bicycle access.

ADOPTED

130269 [Urging the California State Legislature to Pass Assembly Bill 1194 - Safe Routes to School Program]

Sponsor: Mar

Resolution urging the California State Legislature to pass Assembly Bill 1194 to require that the existing Safe Routes to School Program be funded by an annual appropriation in the budget act of not less than $46,000,000 and to transfer authority of the program to the California Transportation Commission.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130272 [Zoning Map - Rezoning of 909 Tennessee Street]

Ordinance amending Zoning Map Sheet No. ZN08 to rezone Assessor's Block No. 4108, Lot No. 036 (909 Tennessee Street) from Public to Urban Mixed Use; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Commission)

03/18/13; RECEIVED FROM DEPARTMENT.

03/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/25/2013.

130276 [Business and Tax Regulations Code - Former Transfer Tax Review Board]

Ordinance amending the Business and Tax Regulations Code to remove provisions that refer to the former Transfer Tax Review Board, and that expired by operation of law on January 1, 2013. (City Attorney)

03/13/13; RECEIVED FROM DEPARTMENT.

03/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:23 p.m.

ADDENDUM

The following information was provided by a speaker, pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors. Ray Hartz submitted the following additional information during Public Comment as follows: "Know your rights under the Sunshine Ordinance," is printed on the agenda for each meeting of this Board of Supervisors and its committees. Even if you know those rights, don't expect them to be either acknowledged or respected by the Clerk of the Board, Angela Calvillo. The Sunshine Ordinance Task Force has ruled repeatedly and clearly on this issue. Ms. Calvillo wants so desperately to retain her ability to censor public comment that she remains willfully ignorant of the law! Thomas Aquinas teaches that "Willful ignorance of what one ought to know is a mortal sin." Ms. Calvillo knows that her actions are unlawful under the Sunshine Ordinance as determined by the Task Force. Ms. Calvillo must also be aware that under SEC. 67.34 that her willful failure is considered official misconduct. Ms. Calvillo simply doesn't care about anyone's rights under the Sunshine Ordinance. She simply doesn't give a damn!

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

APR - 5 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, April 2, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 26, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

121104 [Planning Code - Landmark Designation - 320-326 Judah Street (the Doelger Building)]

Sponsor: Wiener

Ordinance designating 320-326 Judah Street (the Doelger Building), Assessor's Block No. 1763, Lot Nos. 020 and 021, as a Landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings.

FINALLY PASSED

121162 [Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]

Sponsor: Mayor

Ordinance amending the Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program (Program) by reducing certain on-site requirements under Charter, Section 16.110; providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on- or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; clarifying that the threshold application of the Program to projects of 10 units or more applies to the South of Market Youth and Family Special Use District and all other areas of the City; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.

FINALLY PASSED

130042 [Planning Code - Medical Service Use - Sacramento Neighborhood Commercial District]

Sponsor: Farrell

Ordinance amending the Planning Code, Section 724.1, and related portions of Table 724, to permit a change of use from a business or professional service use to medical service use on the first floor or below in the Sacramento Neighborhood Commercial District; and making environmental findings, Planning Code, Section 101.1, findings, and findings of consistency with the General Plan.

FINALLY PASSED

121084 [Freeway Agreement - California Department of Transportation - State Highway Route 101, South Van Ness Avenue to Golden Gate Avenue]

Resolution adopting a freeway agreement with the California Department of Transportation (Caltrans) for a portion of State Highway Route 101 from South Van Ness Avenue to Golden Gate Avenue; and authorizing official acts related thereto. (Public Works Department)

ADOPTED

Recommendations of the Rules Committee

130144 [Appointments, Citizens' General Obligation Bond Oversight Committee - Minneola Ingersoll and Jonathan Alloy]

Motion appointing Minneola Ingersoll and Jonathan Alloy, terms ending November 21, 2014, to the Citizens' General Obligation Bond Oversight Committee. (Clerk of the Board)

Motion No. M13-049

APPROVED

130145 [Appointment, Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force - Moli Steinert]

Motion appointing Moli Steinert, for an indefinite term, to the Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)

Motion No. M13-050

APPROVED

130250 [Appointments, Urban Forestry Council - John Hillan, Dan Flanagan, Sandy Sherwin, William Brock Most, and Rose Hillson]

Motion appointing John Hillan, Dan Flanagan, Sandy Sherwin, William Brock Most, and Rose Hillson, terms ending November 18, 2014, to the Urban Forestry Council. (Clerk of the Board)

Motion No. M13-051

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130185 [Appropriating $656,958 of General Fund Reserve to the Public Defender for Salary Expenditures - FY2012-2013]

Sponsors: Campos; Avalos and Mar

Ordinance appropriating $656,958 from the General Fund Reserve to the Public Defender for salary expenditures in FY2012-2013, pursuant to Charter Section 9.113, this appropriation is subject to a two-thirds affirmative vote of all members of the Board of Supervisors.
(Fiscal Impact)
(Supervisors Farrell and Wiener dissented in Committee.)

Supervisor Campos, seconded by Supervisor Cohen, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130229 [5-Year Financial Plan - FY2013-2014 through FY2017-2018]

Sponsors: Mayor; Farrell, Chiu and Cohen

Resolution adopting the City's 5-Year Financial Plan for FY2013-2014 through FY2017-2018 pursuant to Charter, Section 9.119.

Supervisor Cohen requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Sub-Committee

130177 [Multifamily Housing Revenue Bonds - Broadway Sansome Apartments - Not to Exceed $23,900,000]

Sponsor: Chiu

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $23,900,000 for the purpose of providing financing for the acquisition and construction of a 75-unit multifamily rental housing project known as Broadway Sansome Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130234 [Ground Lease Amendment - 255 Broadway]

Sponsor: Chiu

Resolution approving and authorizing the Mayor's Office of Housing, as Successor Housing Agency to the Redevelopment Agency, to amend an existing term ground lease with Broadway Sansome Associates, L.P., a California limited partnership, for the development and operation of affordable housing on certain real property located at 255 Broadway and making findings that the amendments are in conformance with California Environmental Quality Act, the City's General Plan, and the priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130254 [Lease Financing for Improvements - Moscone Convention Center]

Sponsor: Kim

Resolution providing for the sale of certificates of participation evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City and County of San Francisco under a Lease Agreement to finance capital projects at the Moscone Convention Center; providing for the sale of the Certificates by competitive sale; approving the form and publication of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of a Preliminary Official Statement and the form and execution of an Official Statement relating to the sale of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the execution, sale, and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130227 [Lease - Van Ness Post Center, LLC - Law Library - 1200 Van Ness Avenue]

Sponsor: Mayor

Resolution finding that 20,000 net rentable square feet is suitable and sufficient for the Law Library; authorizing the Director of Property to enter into a lease with Van Ness Post Center, LLC, for the Law Library at 1200 Van Ness Avenue; finding that the proposed relocation of the Law Library to such space is in conformance with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing the Director of Property to find alternative comparable space if a lease with Van Ness Post Center, LLC, cannot be finalized.

Privilege of the floor was granted to John Updike, Director of Real Estate, and Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Campos

Recommendations of the Land Use and Economic Development Committee

121004 [Planning Code - Market Street Masonry Historic District]

Sponsors: Kim; Breed and Campos

Ordinance amending the Planning Code, by adding a new Appendix M to Article 10 (Preservation of Historical, Architectural, and Aesthetic Landmarks), to create the Market Street Masonry Historic District, a discontiguous landmark historic district; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130119 [Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]

Sponsors: Mayor; Chiu, Wiener, Yee, Farrell, Breed, Mar, Tang and Cohen

Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

Supervisor Cohen requested to be added as a co-sponsor.

Privilege of the floor was granted to Jason Elliott (Mayor's Office) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

121159 [Liquor License - 34 Mason Street]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Mark E. Rennie for Good Oel, Inc., dba The Beer Cafe, located at 34 Mason Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee
Noes: 1 - Wiener

130033 [Liquor License - 555 Howard Street, #102]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Steven Chen for SharChen Golf, Inc., dba Eagle Club Indoor Golf, located at 555 Howard Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Supervisor Kim, seconded by Supervisor Yee, moved that this Resolution be CONTINUED to April 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Rules Committee

130249 [Appointments, Mental Health Board - Errol Wishom, Melody Daniel, Ellis Joseph, Lena Miller, and Marlene Flores]

Motion appointing Errol Wishom, term ending January 31, 2015, and Melody Daniel, Ellis Joseph, Lena Miller, and Marlene Flores, terms ending January 31, 2016, to the Mental Health Board.
(Clerk of the Board)
(Supervisor Breed dissented in Committee on appointment of Marlene Flores, Seat 16.)

Motion No. M13-052

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

There were none.

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

130018 [Planning Code - Deleting the Sunset Provision of the Excelsior Alcohol Restricted Use District]

Sponsor: Avalos

Ordinance amending the Planning Code, Section 785, to delete the sunset provision of the Excelsior Alcohol Restricted Use District; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to open government and public records. (See additional information submitted on Page 11.)
Ace Washington; expressed various concerns
Eugene Gordon, Jr.; expressed various concerns.
Katy Hawkins-O'Coury; expressed concerns relating to gun violence.
Jane Kennedy; expressed concerns relating to underground utilities.
Carla; shared in poem certain concerns with the Board.
Darrell Bonapart; expressed concerns relating to upcoming housing event.
Douglas Yep; expressed various concerns.
John DiDonna; shared in poem certain concerns with the Board.
Male Speaker; expressed various religious concerns.
Charlie Walker; expressed concerns relating to public comment, municipal railway on Third Street, and parking.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130288 [Supporting San Francisco Applicants for the Deferred Action for Childhood Arrivals Program]

Sponsors: Chiu; Campos, Yee, Wiener, Cohen, Mar, Kim and Avalos

Resolution urging the San Francisco Unified School District to coordinate efforts with City Departments to support student participation in the Deferred Action for Childhood Arrivals Program and create a centralized system to facilitate transcript requests and enrollment history verification for undocumented students and transitional aged youth.

ADOPTED

130289 [Accept and Expend Grant - Beach Water Quality and Monitoring - $25,000]

Sponsor: Tang

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of $25,000 from the State Water Resource Control Board to participate in a program entitled "Beach Water Quality and Monitoring" for the period of October 1, 2012, through September 30, 2013, waiving indirect costs.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130278 [Settlement of Lawsuit - Dadario v. CCSF - $72,500]

Ordinance authorizing settlement of the lawsuit filed by Marlene Dadario against the City and County of San Francisco for $72,500; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510516; entitled Marlene Dadario v. City and County of San Francisco, et al. (City Attorney's Office)

03/25/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Rules Committee.

130279 [Settlement of Lawsuit - Willis v. CCSF, et al. - $210,000]

Ordinance authorizing settlement of the lawsuit filed by Thomas Willis against the City and County of San Francisco for $210,000; the lawsuit was filed on January 13, 2012, in United States District Court, Northern District of California, Case No. CV 12-0231 JSW; entitled Thomas Willis v. City and County of San Francisco, et al. (City Attorney's Office)

03/25/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

130273 [Accept In Kind Gift - Technical Assistance - $250,000]

Resolution authorizing the Office of the District Attorney to retroactively accept an in kind gift of technical assistance valued at $250,000 from the Open Society Foundation for the grant period of January 1, 2013, through June 30, 2015.

03/19/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130274 [Accept Gift - Design Services and Furniture - $26,445.43]

Resolution authorizing the Office of the District Attorney to retroactively accept a gift of design services and furniture, valued at a total of $26,445.43 from various donors. (District Attorney)

03/25/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130277 [Agreement - Engineered Arresting Systems Corporation - Not to Exceed $40,000,000]

Resolution authorizing the Office of Contract Administration and Purchaser to enter into the Agreement between the Airport Commission and Engineered Arresting Systems Corporation for the not to exceed amount of $40,000,000 for the purchase of an Engineered Material Arresting System for the San Francisco International Airport Runway Safety Area Program. (Airport Commission)

03/19/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:24 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors. Ray Hartz submitted the following additional information during Public Comment as follows: On the screen is a referral to this BOS regarding the "Public Library's Failure to Respond to Requests to Identify Expenditure Documents." City Librarian Luis Herrera is specifically identified as the person who failed to comply. Mr. Herrera has used his position to withhold public records and to direct other City employees to do the same. He has violated not only the Sunshine Ordinance but also CPRA and has directed other City employees to act in violation of both laws. At no time did Mr. Herrera even attempt to justify his actions or directions. For 20 months he has simply refused to produce documents he knew he had a legal obligation to produce. The critical paragraph of this referral reads: "The Task Force recommends that the Board of Supervisors investigate the Libraries documentation of its expenditure of Friends' funds." This is the driving force behind all these violations of law.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, April 9, 2013 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

APR 12 2013

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Yee, moved to approve the Board Meeting Minutes of March 5, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

121004 [Planning Code - Market Street Masonry Historic District]

Sponsors: Kim; Breed and Campos

Ordinance amending the Planning Code, by adding a new Appendix M to Article 10 (Preservation of Historical, Architectural, and Aesthetic Landmarks), to create the Market Street Masonry Historic District, a discontiguous landmark historic district; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).

FINALLY PASSED

130018 [Planning Code - Deleting the Sunset Provision of the Excelsior Alcohol Restricted Use District]

Sponsor: Avalos

Ordinance amending the Planning Code, Section 785, to delete the sunset provision of the Excelsior Alcohol Restricted Use District; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

FINALLY PASSED

130119 [Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]

Sponsors: Mayor; Chiu, Wiener, Yee, Farrell, Breed, Mar, Tang and Cohen

Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendation of the Budget and Finance Committee

130283 [Appropriation - Surplus Revenues, Expenditures, City Reserve for State Revenue Loss, and General Fund Reserve of $44,857,000 Supporting Shortfalls - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $37,467,454 in the Department of Public Health, including $3,092,849 of General Fund Reserves, $8,410,605 of the City Reserves for State Revenue Loss, and $2,600,000 from Community Mental Health Services; surplus hospital revenues of $6,504,000 in General Hospital, $12,560,000 of Laguna Honda Hospital Revenues, and $4,300,000 of Laguna Honda Hospital Reserve for Debt Service (Senate Bill 1128) revenues are recognized, as well as expenditure reductions of $7,389,546 and additional expenditures of $34,520,000 at San Francisco General Hospital, and $10,337,000 at Laguna Honda Hospital.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Sub-Committee

130221 [Payment of Reward to Doe One - $250,000]

Sponsor: Mayor

Ordinance authorizing payment of a $250,000 reward to Doe One for supplying information leading to the arrest and conviction of the perpetrator who murdered Willie Allen.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

121192 [Airport Concession Lease - Host International, Inc. - $733,176 Minimum Annual Guarantee]

Resolution approving the International Terminal and Terminal 3 Newsstands/Café Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a ten year term with a minimum annual guarantee of $733,176. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130265 [Issuance of Tax-Exempt Obligation - French American International School - Not to Exceed $6,500,000]

Sponsor: Breed

Resolution approving, in accordance with Internal Revenue Code Section 147(f), the issuance of a tax-exempt revenue obligation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $6,500,000 to finance various capital facilities owned by the French American International School.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130085 [Administrative Code - Establishing San Francisco City Hall Preservation Fund]

Sponsor: Farrell

Ordinance amending the Administrative Code, by adding Section 10.100-289, to establish a San Francisco City Hall Preservation Fund to receive donations and to authorize expenditures for the purpose of promoting the 100th anniversary of San Francisco City Hall, including promotional events, community outreach activities, preservation, maintenance, repair, improvements, and similar post-anniversary endeavors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130150 [Accept and Expend Grant - Used Motor Oil Recycling - $229,123]

Sponsor: Mar

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $229,123 from the California Department of Resources Recycling and Recovery for the purpose of increasing used motor oil recycling and household hazardous waste management for the period of April 30, 2013, through June 30, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

121017 [Administrative Code - Citywide Coordination of Open Data Policy and Procedures]

Sponsors: Mayor; Chiu

Ordinance amending the Administrative Code, Sections 22D.2 and 22D.3, relating to San Francisco's open data policies and procedures and establishing the position and duties of Chief Data Officer and Departmental Data Coordinators.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130183 [Accept and Expend Grant - FY2012 Second Chance Act Juvenile Offender Reentry Program and Amendment to the Annual Salary Ordinance, FY2012-2013 - $461,166]

Sponsor: Breed

Ordinance authorizing the Juvenile Probation Department (JPD) to retroactively accept and expend a grant in the amount of $461,166 from the Office of Justice Programs for the United States Department of Justice for funding under the FY2012 Second Chance Act Juvenile Offender Reentry Program (Second Chance grant award); and amending Ordinance No. 165-12 (Annual Salary Ordinance, FY2012-2013 and FY2013-2014) to reflect the addition of one Class 2910 Social Worker grant-funded position (0.4 FTE) at JPD.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120474 [Planning, Administrative Codes - Transfer of Development Rights]

Sponsor: Chiu

Ordinance amending the Planning Code, Sections 128 and 819, and Administrative Code, Section 10E.1, to permit the transfer of development rights from any eligible building in a Downtown Commercial (C-3) District or the South of Market Extended Preservation District to a development site in a C-3 District; require annual reporting of buildings designated as historic resources and of transferred development rights, and requiring a Preservation, Rehabilitation, and Maintenance Plan to be submitted with an application for Certificate of Transfer instead of with an application for Statement of Eligibility; and adopting environmental findings, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Members of the Southeast Community Response Network in recognition of their accomplishments and continued community support. Police Chief Greg Suhr shared in this commendation.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Cori Cruz of the Department of Emergency Management in recognition of her receiving the 911 'Dispatcher of the Year' Award.

Supervisor Mar was noted absent at 2:42 p.m. for the remainder of the meeting.

SPECIAL ORDER 3:00 P.M.

130213 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 611 Buena Vista West Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated October 18, 2012, that a project located at 611 Buena Vista West Avenue, Assessor's Block No. 2603, Lot No. 004. (Building Permit Application No. 2011.05.04.5332) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposed work involves a vertical addition to an existing single-family house within an RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. (District 8) (Appellants: Susan Brandt-Hawley, on behalf of the Buena Vista Historical Preservation Association, Jim and Georgia Cox, Bill Gheen, Kristy and Matt Leffers, Jon and Pam Shields, and Tim Stewart and Sue Rugtiv) (Filed February 25, 2013).

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt-Hawley (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Matt Lowell; Tim Stewart; Walter Paulson; Male Speaker; Liam Lee; Rose; Susan Allen; Stacy Edwards, Otto Duffy; Larry Juicye Edwards; spoke in support of the appeal. Tina Tam and Sarah Jones (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Anna Shimko and Cass Smith (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Stephanie/Martin; Male Speaker; Male Speaker; Lucia Wells; Kevin Wells; Male Speaker; Madeleine; Male Speaker; Josh Davis; spoke in support of the project and in opposition to the appeal. Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

Supervisor Campos was noted absent at 4:23 p.m. and noted present at 4:30 p.m.

Supervisor Mar Excused from Voting

Supervisor Farrell, seconded by Supervisor Campos, moved that Supervisor Mar be excused from voting on File Nos. 130214, 130215, and 130216. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

130214 [Affirming the Exemption Determination - 611 Buena Vista West Avenue]

Motion affirming the determination by the Planning Department that a project located at 611 Buena Vista West Avenue is exempt from environmental review. (Clerk of the Board)

Motion No. M13-053

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

130215 [Reversing the Exemption Determination - 611 Buena Vista West Avenue]

Motion reversing the determination by the Planning Department that a project located at 611 Buena Vista West Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

130216 [Preparation of Findings to Reverse the Exemption Determination - 611 Buena Vista West Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 611 Buena Vista West Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Keith Gibbins; expressed concerns relating to funding for Laguna Honda.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to public comment and open government. (See additional information submitted on Page 11.)
Jane Kennedy; expressed concerns relating to underground utilities.
Eugene Gordon, Jr.; expressed various concerns.
Karen Joyer (SEIU); spoke in support of Equal Pay Day.
Male Speaker; expressed various religious concerns.
Michael Russom; spoke relating to proposed CEQA legislation.
Rose Hilton; spoke relating to proposed CEQA legislation.
Walter Paulson; shared in song certain concerns with the Board.
Tom Gilberty; expressed various concerns relating to public comment and noise pollution.
Edmond Juicye; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Douglas Yepp; expressed concerns relating to residency of elected officials.
Otto Duffy; expressed concerns relating to cancellation of blue angels and safety.
Charles Pitts; expressed concerns relating to Watson apartments.

Supervisor Farrell was noted absent at 3:39 p.m. and noted present at 3:56 p.m.
Supervisor Yee was noted absent at 3:48 p.m. and noted present at 3:57 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130302 [Supporting Assembly Bills 218 and 870 - Expansion of California's Fair Hiring Policies to Cities, Counties, State Agencies, Special Districts, and Private Employers That Contract with State Agencies]

Sponsors: Kim; Avalos, Campos, Cohen and Mar

Resolution supporting Assembly Bill 218, which expands California's existing fair hiring policies for state and public employees to city and county workers statewide, and Assembly Bill 870, which expands California's existing fair hiring policies to private employers that contract with the State.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

130304 [Urging City Departments to Release Data to Help Prevent Towing]

Sponsors: Chiu; Mar and Campos

Resolution urging City departments to release data that would enable the development of applications and other tools to help San Francisco residents and visitors avoid getting towed.

Supervisors Mar and Campos requested to be added as co-sponsors.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File No. 130305 be severed so that it may be considered separately.

130305 [Equal Pay Day - April 9, 2013]

Sponsors: Cohen; Chiu, Avalos, Mar, Kim and Campos

Resolution declaring April 9, 2013, as Equal Pay Day in the City and County of San Francisco.

Supervisors Kim and Campos requested to be added as co-sponsors.

ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130296 [Improvements - Mission Bay South Park P10]

Ordinance dedicating City property, within portions of State Trust Parcel 2, known as Mission Bay Park P10, lying along Mission Bay Circle and Mission Bay Drive, as open public right-of-way and naming the new park Mission Bay Park P10; accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order and authorizing official acts in connection with this Ordinance. (Public Works Department)

04/01/13; RECEIVED FROM DEPARTMENT.

04/09/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

130297 [Improvements - Mission Bay Drive Extension Public Infrastructure]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Drive Extension including acquisition facilities on Mission Bay Drive, Mission Bay Circle and a portion of Owens Street; 2) accepting additional property on a portion of Owens Street; 3) declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; 4) dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; 5) establishing street grades and sidewalk widths; 6) accepting said facilities for City maintenance and liability purposes, subject to specified limitations; 7) adopting environmental findings and findings that such actions are consistent with the General Plan, eight priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and 8) authorizing official acts in connection with this Ordinance. (Public Works Department)

04/01/13; RECEIVED FROM DEPARTMENT.

04/09/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

130187 [2013 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2013 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

03/29/13; RECEIVED FROM DEPARTMENT.

04/09/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130295 [Lease Renewal and Amendment - Real Property at 1390 Market Street - BRCP 1390 Market, LLC - $82.818.07 monthly]

Resolution authorizing the five-year renewal and amendment of a lease of approximately 27,826 square feet of space at 1390 Market Street with BRCP 1390 Market, LLC, as Landlord for use by the Department of Public Health at the monthly cost of $82,818.07 for the period of November 30, 2013, through Novembre 30, 2018. (Real Estate Department)

03/28/13; RECEIVED FROM DEPARTMENT.

04/09/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:06 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors. Ray Hartz submitted the following additional information during Public Comment as follows: Members of this BOS should be truly embarrassed by the fact that a citizen of San Francisco has to read the law to you in order to make public comment without interruption. On March 26, as I was addressing this board regarding the practices of your clerk, Board President David Chiu interrupted me. He did so without any good-faith belief that my comments were inappropriate. He did so in violation of the Sunshine Ordinance that my comments were inappropriate. He did so in violation of the Sunshine Ordinance section that I just quoted. Despite stealing my time, terrupting my train of thought, and forcing me to tell him something he certainly knew, the clerk then cut me off midsentence! It is bad enough that this BOS steals a full minute from each and every citizen who wishes to talk with you. Three minutes is the legal intent!!! The practices of the presiding officer and the clerk which violate the law are beyond the pale!

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, April 16, 2013 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT
APR 22 2013
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of March 12, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

130221 [Payment of Reward to Doe One - $250,000]

Sponsor: Mayor

Ordinance authorizing payment of a $250,000 reward to Doe One for supplying information leading to the arrest and conviction of the perpetrator who murdered Willie Allen.
(Fiscal Impact)

FINALLY PASSED

130085 [Administrative Code - Establishing San Francisco City Hall Preservation Fund]

Sponsor: Farrell

Ordinance amending the Administrative Code, by adding Section 10.100-289, to establish a San Francisco City Hall Preservation Fund to receive donations and to authorize expenditures for the purpose of promoting the 100th anniversary of San Francisco City Hall, including promotional events, community outreach activities, preservation, maintenance, repair, improvements, and similar post-anniversary endeavors.

FINALLY PASSED

Recommendation of the Budget and Finance Committee

130283 [Appropriation - Surplus Revenues, Expenditures, City Reserve for State Revenue Loss, and General Fund Reserve of $44,857,000 Supporting Shortfalls - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $37,467,454 in the Department of Public Health, including $3,092,849 of General Fund Reserves, $8,410,605 of the City Reserves for State Revenue Loss, and $2,600,000 from Community Mental Health Services; surplus hospital revenues of $6,504,000 in General Hospital, $12,560,000 of Laguna Honda Hospital Revenues, and $4,300,000 of Laguna Honda Hospital Reserve for Debt Service (Senate Bill 1128) revenues are recognized, as well as expenditure reductions of $7,389,546 and additional expenditures of $34,520,000 at San Francisco General Hospital, and $10,337,000 at Laguna Honda Hospital.
(Fiscal Impact)

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

121017 [Administrative Code - Citywide Coordination of Open Data Policy and Procedures]

Sponsors: Mayor; Chiu

Ordinance amending the Administrative Code, Sections 22D.2 and 22D.3, relating to San Francisco's open data policies and procedures and establishing the position and duties of Chief Data Officer and Departmental Data Coordinators.

FINALLY PASSED

130183 [Accept and Expend Grant - FY2012 Second Chance Act Juvenile Offender Reentry Program and Amendment to the Annual Salary Ordinance, FY2012-2013 - $461,166]

Sponsor: Breed

Ordinance authorizing the Juvenile Probation Department (JPD) to retroactively accept and expend a grant in the amount of $461,166 from the Office of Justice Programs for the United States Department of Justice for funding under the FY2012 Second Chance Act Juvenile Offender Reentry Program (Second Chance grant award); and amending Ordinance No. 165-12 (Annual Salary Ordinance, FY2012-2013 and FY2013-2014) to reflect the addition of one Class 2910 Social Worker grant-funded position (0.4 FTE) at JPD.
(Fiscal Impact)

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

120474 [Planning, Administrative Codes - Transfer of Development Rights]

Sponsor: Chiu

Ordinance amending the Planning Code, Sections 128 and 819, and Administrative Code, Section 10E.1, to permit the transfer of development rights from any eligible building in a Downtown Commercial (C-3) District or the South of Market Extended Preservation District to a development site in a C-3 District; require annual reporting of buildings designated as historic resources and of transferred development rights, and requiring a Preservation, Rehabilitation, and Maintenance Plan to be submitted with an application for Certificate of Transfer instead of with an application for Statement of Eligibility; and adopting environmental findings, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

130071 [Settlement of Lawsuit - Espinoza (named in the complaint as Carlos Espinosa) - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Cadena-Espinoza (named in the complaint as Carlos Espinosa) and Noemi Gereda-Cerrato against the City and County of San Francisco for $95,000; the lawsuit was filed on January 6, 2011, in the Superior Court, Case No. CGC-11-507063; and removed on May 9, 2011, to the United States District Court - Northern District of California, Case No. 11-cv-02282 JSW; entitled Carlos Espinosa, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130167 [Settlement of Lawsuit - Jane Martin, et al. - $1,748,840.74]

Ordinance authorizing settlement of remaining claims in the lawsuit filed by various plaintiffs against the City and County of San Francisco for $1,748,840.74; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130278 [Settlement of Lawsuit - Dadario v. CCSF - $72,500]

Ordinance authorizing settlement of the lawsuit filed by Marlene Dadario against the City and County of San Francisco for $72,500; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510516; entitled Marlene Dadario v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130279 [Settlement of Lawsuit - Willis v. CCSF, et al. - $210,000]

Ordinance authorizing settlement of the lawsuit filed by Thomas Willis against the City and County of San Francisco for $210,000; the lawsuit was filed on January 13, 2012, in United States District Court, Northern District of California, Case No. CV 12-0231 JSW; entitled Thomas Willis v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130220 [Settlement of Claim - Roman Carrasco - $42,000]

Resolution approving the settlement of the unlitigated claim filed by Roman Carrasco against the City and County of San Francisco for $42,000; claim was filed on August 1, 2012. (City Attorney's Office)

ADOPTED

130171 [Appointments, Pedestrian Safety Advisory Committee - Robin Brasso and Sonja Kos]

Motion appointing Robin Brasso and Sonja Kos, terms ending March 28, 2015, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Motion No. M13-054

APPROVED

130282 [Appointment, Graffiti Advisory Board - Jonathan Goldberg]

Motion appointing Jonathan Goldberg, term ending April 10, 2015, to the Graffiti Advisory Board. (Clerk of the Board)

Motion No. M13-055

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the Consent Agenda

Supervisor Chiu requested that File No. 130301 be severed so that it may be considered separately.

Recommendation of the Land Use and Economic Development Committee

130301 [Approval to Grant Subsurface Easement for Tiebacks in the City and County of San Francisco required for the Chinese Hospital Replacement Project – Assessor's Parcel Number Block 192, Lot 035]

Sponsor: Chiu

Resolution approving the grant of a Tieback Subsurface Easement on Assessor's Parcel Block No. 192, Lot No. 035, to the Chinese Hospital Association required for the Chinese Hospital Replacement Project; adopting findings that the grant of subsurface easement is consistent with the General Plan and the priority policies of Planning Code, Section 101.1, and environmental findings; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

Supervisor Chiu, seconded by Supervisor Mar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Neighborhood Services and Safety Committee

130033 [Liquor License - 555 Howard Street, #102]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Steven Chen for SharChen Golf, Inc., dba Eagle Club Indoor Golf, located at 555 Howard Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

121038 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution approving the acquisition of thirty Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program; adopting findings that the project is categorically exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and Mayor to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130285 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee for Small Business Week Sidewalk Sales]

Sponsors: Farrell; Chiu, Cohen, Wiener, Yee, Kim, Mar, Breed, Tang and Campos

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Saturday, May 11, 2013, and Saturday May 18, 2013, as part of Small Business Week Sidewalk Sales.

Supervisors Tang and Campos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130287 [Issuance of Tax-Exempt Obligations - Progress Foundation - Not to Exceed $9,000,000]

Sponsor: Farrell

Resolution approving the issuance of tax-exempt obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed $9,000,000 to finance and refinance various capital facilities owned by Progress Foundation.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Committee

130275 [Appropriation - Surplus Revenues, Expenditures, and General Fund Reserve of $4,384,994 Supporting Shortfalls - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $3,568,579 in the Sheriff's Department, including $3,277,905 from General Reserve and $290,674 from State Disability Claim Reimbursement in the amount of $1,189,268 for Worker's Compensation Expense, $3,195,726 for overtime expenditures, and $538,690 for reduction of revenues; including revenue de-appropriation of $538,690 for reduction of State revenues and expenditure de-appropriation of $1,355,105 for permanent salaries and materials and supplies in order to support the Sheriff's Department projected expenditures; as required per Ordinance No. 194-11, this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval for $3,195,726 of this request.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130228 [Ten-Year Capital Expenditure Plan - FY2013-2014 through FY2022-2023]

Sponsors: Mayor; Chiu and Campos

Resolution adopting the City's Ten-Year Capital Expenditure Plan for FY2013-2014 through FY2022-2023 pursuant to Administrative Code, Section 3.20.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130230 [5-Year Information and Communication Technology Plan - FY2013-2014 through FY2017-2018]

Sponsors: Mayor; Chiu and Campos

Resolution adopting the City's 5-Year Information and Communication Technology Plan for FY2013-2014 through FY2017-2018 pursuant to Administrative Code, Section 22A.6.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

121065 [Planning Code, Zoning Map - Polk Street Alcohol and Tobacco Paraphernalia Restrictions; Establishing Lower Polk Street Alcohol Restricted Use District]

Sponsor: Chiu

Ordinance amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California Street to the north, O'Farrell Street to the south, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street, and Van Ness Avenue; amending Zoning Map, Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Land Use and Economic Development Committee with a Recommendation of "Do Not Pass"

120458 [General Plan - Van Ness Area Plan Amendments - California Pacific Medical Center: Cathedral Hill Campus]

Ordinance amending the General Plan, Van Ness Area Plan, in order to facilitate the development of a high density medical center at the transit nexus of Van Ness Avenue and Geary Boulevard and reflect various elements of this use; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

NOT PASSED ON FIRST READING by the following vote:

Noes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120459 [General Plan Map - California Pacific Medical Center: St. Luke's Campus]

Ordinance amending the General Plan by amending Map 4 of the Urban Design Element to increase the height limit for the California Pacific Medical Center's St. Luke's Campus (Assessor's Parcel Block No. 6575/Lot Nos. 001, 002; Assessor's Parcel Block No. 6576/Lot No. 021, and the portion of San Jose Avenue between Cesar Chavez Street and 27th Street) to 105 feet; amending Map 5 of the Urban Design Element to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 227' and 270', respectively, for the St. Luke's Replacement Hospital site and 204' and 228', respectively, for the medical office building site at the St. Luke's Campus; and adopting findings, including environmental findings, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

NOT PASSED ON FIRST READING by the following vote:

Noes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120460 [General Plan Map - California Pacific Medical Center: Cathedral Hill Campus]
Ordinance amending the General Plan by amending Map 4 of the Urban Design Element to allow for development up to a height of 265 feet on the block bounded by Van Ness Avenue, Geary Boulevard, Franklin and Post Streets; amending Map 5 of the Urban Design Element to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 385' and 466', respectively, for the Cathedral Hill Hospital site, and 265' and 290', respectively, for the Cathedral Hill Medical Office Building site; amending Map 1 of the Van Ness Area Plan, to designate the sites of the proposed Cathedral Hill Hospital and Medical Office Building as the Van Ness Medical Use Subdistrict; amending Map 2 of the Van Ness Area Plan to create a 265-V height/bulk district coterminous with the Hospital site; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

NOT PASSED ON FIRST READING by the following vote:

Noes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

120961 [Liquor License - 543-2nd Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Dion Cheng and Rachel Cheng for Zaza Spa, located at 543-2nd Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

121082 [Liquor License - 57 New Montgomery Street]
Resolution determining that the issuance of a Type 21 off-sale general license to Mokles S. Hanna for F.M. Smokes and Wines, Inc., located at 57 New Montgomery Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130067 [Liquor License Transfer - 500 Laguna Street]
Resolution determining that the transfer of a Type 21 off-sale general license from 201 Leland Avenue to 500 Laguna Street (District 5), to Krista Avery and Manuel Bargiela for O Camino, dba Nosa Ria, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130069 [Liquor License - 820-26th Street]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Cesar Ascarrunz for Cesar's Ballroom, located at 820-26th Street (District 10), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar Excused from Voting

Supervisor Farrell, seconded by Supervisor Cohen, moved that Supervisor Mar be excused from voting on File No. 130280. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

Recommendation of the Rules Committee

130280 [Appointment, Association of Bay Area Governments Executive Board - Supervisor Eric Mar]

Motion appointing Supervisor Eric Mar, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Motion No. M13-056

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Yee, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Lisa Braden, Branch Library, of the Ocean View Library, on the occasion of National Library Week, in recognition of their accomplishments, and continued community support. Supervisor Kim shared in this commendation.

Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Members of the Child Care Provider Association in recognition of their accomplishments and continued community support.

Supervisors Farrell and Breed introduced, welcomed, and presented Certificates of Honor to the Women and Men's Basketball Teams of the Sacred Heart Cathedral Prep in recognition of their accomplishments and continued community support.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to open government, public records act, and SF Public Library. (See additional information on Page 15.)
Peter Warfield; expressed concerns relating to the SF Public Library.
Neil Gehani; spoke in support of establishing an electrical undergrounding task force.
Eugene Gordon, Jr.; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Diamond Dave Whitaker; shared in poem the upcoming poems under the dome.
E.K. Keith; shared in poem the upcoming poems under the dome.
Valerie Ibarra; shared in poem the upcoming poems under the dome.
Virginia Barrett; shared in poem the upcoming poems under the dome.
Bobby Cohen; shared in poem the upcoming poems under the dome.
Douglas Yepp; expressed various concerns.
L. Elizabeth Cromwell; spoke in support of establishing an electrical undergrounding task force.
Male Speaker; expressed various concerns.
Tom Gilberty; expressed various concerns relating to noise pollution.
Arthur; expressed various concerns relating to district versus at large elections.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 130320 be severed so that it may be considered separately.

130320 [The Year of the Child - 2013]

Sponsors: Mar; Cohen, Yee, Chiu and Campos

Resolution declaring 2013 as "The Year of the Child" in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Mar, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130339 [Tia Margarita Restaurant Day - April 20, 2013]

Sponsor: Mar

Resolution declaring April 20, 2013, as Tia Margarita Restaurant Day and recognizing its 50th anniversary in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130339. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130313 [Settlement of Lawsuit – Carlos Benavides Arroliga v. CCSF, et al. - $250,000]
Ordinance authorizing settlement of the lawsuit filed by Carlos Benavides Arroliga against the City and County of San Francisco for $250,000; the lawsuit was filed on September 13, 2011, in San Francisco Superior Court, Case No. CGC-11-514165; entitled Carlos Benavides Arroliga, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney's Office)

04/03/13; RECEIVED FROM DEPARTMENT.

04/16/13; RECEIVED AND ASSIGNED to Rules Committee.

130314 [Settlement of Lawsuit - Lloyds and Zurich North America v. CCSF - $80,000]
Ordinance authorizing settlement of the lawsuit by Zurich American Insurance Company, against the City and County of San Francisco for $80,000; the lawsuit was filed on January 17, 2013, in San Francisco Superior Court, Case No. CGC-13-528071; entitled Zurich American Insurance Company v. City and County of San Francisco, et al. (City Attorney's Office)

04/03/13; RECEIVED FROM DEPARTMENT.

04/16/13; RECEIVED AND ASSIGNED to Rules Committee.

130315 [Settlement of Lawsuit - CTIA - The Wireless Association]

Ordinance authorizing settlement of a lawsuit filed by CTIA against the City and County of San Francisco; the lawsuit was filed on July 23, 2010, in United States District Court, Northern District of California, Case No. 3:10-cv-03224 (WHA); entitled CTIA - The Wireless Association v. City and County of San Francisco; the material terms of said settlement are that: CTIA and the City will enter into a stipulated Final Judgment for the CTIA, including declaratory relief and a permanent injunction against enforcement of the Cell Phone Right-to-Know Law; the City will cease all litigation over the Cell Phone Right-to-Know Law; and, CTIA will waive its claims for attorney's fees. (City Attorney's Office)

04/05/13; RECEIVED FROM DEPARTMENT.

04/16/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130312 [Settlement of Claim - Kerry MacRae - $275,000]

Resolution approving the settlement of the unlitigated claim filed by Kerry MacRae against the City and County of San Francisco for $275,000; claim was filed on April 27, 2012. (Public Works Department)

04/03/13; RECEIVED FROM DEPARTMENT.

04/16/13; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:08 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: Again I am discussing a referral from the SOTF to the BOS regarding City Librarian Luis Herrera. For more than 20 months Herrera has withheld public documents in his care and custody. He has directed other City employees to participate in this unlawful action. Herrera has acted knowingly and willfully to conceal public records which he had a legal obligation to produce. Herrera wanted to conceal the fact that he and the San Francisco Public Library Commission have been lying to the public regarding their knowledge of the financial dealings between the Library and the private group know as "The Friend." At the same time, Herrera has been accepting monthly payments from "The Friends" which he has failed to report as required by law. He has for years presented dceptive information to the public regardin gtens of millions of dollars raised in the name of the citizens of San Francisco.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

APR 26 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, April 23, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 19, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130353 [Formal Policy Discussions - April 23, 2013]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 3, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. According to the 2010 census, 35.6% of San Franciscans are foreign born and City residents speak more than 28 different languages. Our City's Language Access Ordinance has been in effect since 2009 to make sure that the various needs of this population are well served. Yet, I am aware, from feedback from community groups, that our City Departments still struggle to meet the language needs of San Francisco's diverse communities. In heavily immigrant populated Districts, like the Richmond, it is critical that our City's services have the ability to serve all of our residents equitably. I am particularly concerned that our first responders and other Tier 1 Departments be in compliance with the Ordinance and recently called for a hearing to examine this issue. I would like to know what your office is doing to ensure the requirements of the Language Access Ordinance are fully met? (Supervisor Mar, District 1)

2. Mr. Mayor, my office recently implemented San Francisco's first pilot program in participatory budgeting. As practiced in 1,500 cities around the world, including Chicago and New York City, participatory budgeting is a direct democratic process in which residents decide how to spend a portion of a public budget, which leads to better and fairer decisions, makes government more accountable and efficient, builds community in our neighborhoods, and increases public confidence in how our city works. With the partnership of the Controller's Office and community groups, my office successfully managed a process that included collecting ideas proposed by residents, winnowing implementable projects, and a week of voting at locations around District 3. This year, my hope is that we can expand our participatory budget pilot beyond the modest $100,000 of funding available this year, which represents less than 1/70,000th of our annual budget. Will you join me to make San Francisco a participatory budgeting leader in the United States? (Supervisor Chiu, District 3)

3. A small area of the Oceanview, Merced Heights, and Ingleside (OMI) neighborhood has experienced a high level of gun violence and a rash of homicides over the past several years, mostly affecting African American men in the Broad Street corridor. In November, OMI residents and service providers held a public safety town hall meeting attended by many City departments, most of which committed to stepping up their work in the neighborhood.Earlier this year after a young African American man was shot at the Minnie and Lovie Ward Recreation Center playground, you and I spoke directly about creating a violence prevention plan specific to the OMI neighborhood and its African American community. Thank you for your attention to this matter. Please tell us the status of the plan to bring jobs and violence prevention and intervention resources to the OMI to address the crisis of gun violence. (Supervisor Avalos, District 11)

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

130285 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee for Small Business Week Sidewalk Sales]

Sponsors: Farrell; Chiu, Cohen, Wiener, Yee, Kim, Mar, Breed, Tang and Campos

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Saturday, May 11, 2013, and Saturday May 18, 2013, as part of Small Business Week Sidewalk Sales.

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

130271 [Approving the 2013 Budget and Legislative Analyst Services Work Plan]

Sponsors: Chiu; Cohen

Motion approving the Budget and Legislative Analyst Services work plan for 2013, which allocates hours for Calendar Year 2013; authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours between service categories based on Board of Supervisors service needs; and requires Board of Supervisors approval of hours re-allocation greater than 10 percent; and establishes performance goals and sets a date for the 2013 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

Motion No. M13-057

APPROVED

Recommendations of the Land Use and Economic Development Committee

121065 [Planning Code, Zoning Map - Polk Street Alcohol and Tobacco Paraphernalia Restrictions; Establishing Lower Polk Street Alcohol Restricted Use District]

Sponsor: Chiu

Ordinance amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California Street to the north, O'Farrell Street to the south, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street, and Van Ness Avenue; amending Zoning Map, Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

130235 [Urging the Municipal Transportation Agency to Implement a Full-Scale Bike Sharing Program by 2014]

Sponsors: Wiener; Chiu, Mar and Campos

Resolution urging the Municipal Transportation Agency to implement a full-scale bike sharing program by 2014.

Supervisors Mar and Campos requested to be added as co-sponsors.

ADOPTED

Recommendations of the Rules Committee

130071 [Settlement of Lawsuit - Espinoza (named in the complaint as Carlos Espinosa) - $95,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Cadena-Espinoza (named in the complaint as Carlos Espinosa) and Noemi Gereda-Cerrato against the City and County of San Francisco for $95,000; the lawsuit was filed on January 6, 2011, in the Superior Court, Case No. CGC-11-507063; and removed on May 9, 2011, to the United States District Court - Northern District of California, Case No. 11-cv-02282 JSW; entitled Carlos Espinosa, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130167 [Settlement of Lawsuit - Jane Martin, et al. - $1,748,840.74]

Ordinance authorizing settlement of remaining claims in the lawsuit filed by various plaintiffs against the City and County of San Francisco for $1,748,840.74; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130278 [Settlement of Lawsuit - Dadario v. CCSF - $72,500]

Ordinance authorizing settlement of the lawsuit filed by Marlene Dadario against the City and County of San Francisco for $72,500; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510516; entitled Marlene Dadario v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130279 [Settlement of Lawsuit - Willis v. CCSF, et al. - $210,000]

Ordinance authorizing settlement of the lawsuit filed by Thomas Willis against the City and County of San Francisco for $210,000; the lawsuit was filed on January 13, 2012, in United States District Court, Northern District of California, Case No. CV 12-0231 JSW; entitled Thomas Willis v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130275 [Appropriation - Surplus Revenues, Expenditures, and General Fund Reserve of $4,384,994 Supporting Shortfalls - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $3,568,579 in the Sheriff's Department, including $3,277,905 from General Reserve and $290,674 from State Disability Claim Reimbursement in the amount of $1,189,268 for Worker's Compensation Expense, $3,195,726 for overtime expenditures, and $538,690 for reduction of revenues; including revenue de-appropriation of $538,690 for reduction of State revenues and expenditure de-appropriation of $1,355,105 for permanent salaries and materials and supplies in order to support the Sheriff's Department projected expenditures; as required per Ordinance No. 194-11, this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval for $3,195,726 of this request.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

130131 [Administrative Code - Agricultural Inspection Fees]

Ordinance amending the Administrative Code, Section 1.10, to revise registration fees for inspecting agricultural products; and making environmental findings. (Public Health Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130132 [Administrative Code - Weights and Measures Fees]

Ordinance amending the Administrative Code, Section 1.13-5, to revise registration fees for inspecting and testing weighing and measuring devices as provided by State law; and making environmental findings. (Public Health Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130133 [Administrative Code - Public Health Solid Waste Penalties Fund]

Ordinance amending the Administrative Code, by adding Section 10.100-217, to establish a fund for the deposit of civil penalties assessed by the Department of Public Health and paid by operators of solid waste facilities for violation of solid waste disposal laws; and making environmental findings. (Public Health Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130187 [Annual Fundraising Drive - 2013]

Resolution designating those agencies qualified to participate in the 2013 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130264 [Adoption of Guidelines for the Establishment and Use of an Infrastructure Financing District on Port Land]

Sponsors: Mayor; Kim

Resolution adopting Guidelines for the Establishment and Use of an Infrastructure Financing District with Project Areas on Land Under the Jurisdiction of the San Francisco Port Commission. (Fiscal Impact)

ADOPTED by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Breed, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Privilege of the floor was granted to Brad Benson (Port) who responded to questions raised throughout the discussion.

Supervisor Kim indicated amendments to the accompanying guidelines, as provided by Brad Benson (Port), included in File No. 130264.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be AMENDED, on Page 2, beginning on Line 3, by adding 'WHEREAS, This City policy for the use of Infrastructure Financing Districts on Port property is unique to the Port of San Francisco and does not establish a precedent for use of the Infrastructure Financing District Law elsewhere in the City and County; and'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED, after accepting the amendment to the accompanying guidelines, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130267 [Contract Amendment - Transbay Transit Center Program Services - Not to Exceed $5,393,677]

Sponsor: Kim

Resolution approving the Second Amendment to Contract No. CS -159 between the Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services pursuant to Charter, Section 9.118, to increase the not to exceed amount from $3,280,677 to $5,393,677 for the period of July 21, 2009, through December 31, 2017.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130303 [Urging City College of San Francisco to Preserve the Quality and Diversity of the School's Education and the City to Consider New Support]

Sponsors: Mar; Cohen and Avalos

Resolution urging the City College of San Francisco (CCSF) Board of Trustees and administration to utilize Proposition A Funds, as outlined in the language of Proposition A, to preserve the quality and diversity of education that has served San Francisco well; and for the City to consider additional support for CCSF by evaluating the fees currently charged by the City to CCSF, the possibility of providing more in-kind services, and exploring long-term local support structures.

Supervisor Mar, seconded by Supervisor Cohen, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Budget and Finance Sub-Committee Without Recommendation

130123 [Urging the Retirement Board to Divest from Fossil Fuel Companies]

Sponsors: Avalos; Mar and Breed

Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly traded fossil fuel companies.

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Resolution be AMENDED on Page 3, Line 23, through Page 4, Line 2, by deleting 'FURTHER RESOLVED, That the Board of Supervisors accepts that by divesting out of fossil fuel companies the Retirement Board may produce reduced investment returns as a result and the Board of Supervisors believes that divesting out of fossil fuel companies is an acceptable tradeoff for all current and retired City employees who are affected by the performance of the Retirement System; and, be it.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, on Page 2, Line 3, by changing 'ordinance' to 'Resoluton.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

130179 [Agreement - Tom Eliot Fisch/Knapp Architects, JV - Authorizing Waiver of Certain As-Needed Contract Requirements In Order to Complete Design and Engineering of Bayview Opera House - $1,275,000]

Sponsor: Cohen

Ordinance waiving the as-needed contract modification not to exceed amount requirement under Administrative Code, Section 6.64, and authorizing the Director of Public Works to amend its as-needed Architectural Services Agreement with Tom Eliot Fisch/Knapp Architects, JV by increasing the not to exceed amount by $150,000 from $1,125,000 to $1,275,000 for the limited purpose of completing the design and engineering for the Bayview Opera House project for the period of September 2, 2010, through September 1, 2015.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120901 [Planning Code - Upper Market Zoning]

Sponsor: Wiener

Ordinance amending Planning Code, Sections 721.1 and 733.1, to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; Section 703.2(b), to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; Section 733, making clerical corrections in tables; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120902 [Planning Code, Zoning Map - Upper Market Zoning Map]

Sponsor: Wiener

Ordinance amending Planning Code, Sectional Map Sheets ZN07 and HT07, to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District; change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034, from 50-X to 62-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Chiu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Beth Rubenstein in recognition of her accomplishments and continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Laura Lai, Community Activist, in recognition of her accomplishments and continued community support. Supervisors Mar and Yee, Judge Steve Owyang, and Al Cheng shared in this commendation.

COMMITTEE REPORT

Recommendation of the Neighborhood Services and Safety Committee

130134 [Liquor License - 2379 Chestnut Street]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Ferris Ferdon for Ferdon Olive Oil, Inc., dba We Olive, located at 2379 Chestnut Street (District 2), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Dale Seymour; expressed concerns relating to job creations and Tenderloin neighborhoods.
Peter Warfield; expressed concerns relating to the SF Public Library, bullying, and clues.
Karen Lambergoon; shared in poem certain concerns with the Board.
Kelly Watts; expressed concerns relating to chemical toxins.
Jane Kennedy; spoke relating to budget town hall meetings and utility undergrounding.
Oscar James; expressed concerns relating to proposed advisory committee for Bayview Hunter's Point.
Tom Gilberty; expressed various concerns relating to noise pollution.
Tom Silmar; expressed concerns relating to corridor around 18th Street.
John DiDonna; shared in poem certain concerns with the Board.
Douglas Yepp; expressed various concerns relating to City Attorney's Office.
Keith Dennis; expressed concerns relating to assisted living.
Male Speaker; expressed various religious concerns.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

130317 [Closed Session - Existing Litigation - Consolidated Cases Relating to Transient Occupancy Tax]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on April 23, 2013, for the purpose of conferring with, or receiving advice from, Legal Counsel regarding existing litigation in which the City is a defendant pursuant to Government Code, Section 54956.9(a), and Administrative Code, Section 67.10(d)(1), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the existing litigation.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.

Motion No. M13-058

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 4:50 p.m. to convene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Persons in attendance:
Jose Cisneros, Treasurer/Tax Collector
Ben Rosenfield, Controller
Jon Givner, Deputy City Attorney
Julie Van Nostem, Deputy City Attorney
Owen Clements, Deputy City Attorney
Peter Keith, Deputy City Attorney
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy Director

Matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENING OF THE BOARD

The Board reconvened at the hour of 6:53 p.m.

The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Farrell, seconded by Supervisor Cohen, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130344 [Urging the California State Legislature to Pass Assembly Bill 900]

Sponsor: Chiu

Resolution urging the California State Legislature to pass Assembly Bill 900 to eliminate the reduction in Medi-Cal rates for distinct part nursing facilities included in the State budget for FY2011-2012.

ADOPTED

130345 [Commendation - Laura Lai - Distinguished Service]

Sponsors: Chiu; Mar

Resolution commending Laura Lai for her lifetime of community activism, civil rights advocacy, and documentation of Chinese American history, and declaring April 27, 2013, as Laura Lai Day in the City and County of San Francisco.

ADOPTED

130346 [Urging the California State Legislature to Pass Assembly Bill 336]

Sponsors: Campos; Wiener, Avalos, Mar and Yee

Resolution urging the California State Legislature to pass Assembly Bill 336, which states that possession of one or more condoms shall not be used as evidence of soliciting or engaging in prostitution in the State of California.

ADOPTED

130347 [Urging the California State Legislature to Pass Assembly Bill 1266]

Sponsors: Campos; Wiener, Avalos, Kim and Mar

Resolution urging the California State Legislature to pass Assembly Bill 1266, the School Success and Opportunity Act.

ADOPTED

130348 [Urging the California State Legislature to Pass Assembly Bill 580]

Sponsors: Mar; Chiu and Breed

Resolution urging the California State Legislature to pass Assembly Bill 580, to restore $75 million in annual funding to the California Arts Council.

ADOPTED

130349 [Municipal Transportation Agency Fiscal Agent - Local Priority Development Area Planning and Implementation Funds]

Sponsor: Wiener

Resolution authorizing the Municipal Transportation Agency to act as the fiscal agent for $2,380,000 in funds received by the Planning Department through Metropolitan Transportation Commission Resolution No. 4035 for the implementation of the County Priority Development Area Planning and Implementation Program.

ADOPTED

130337 [Final Map - 7044 - 5499 California Street /208 17th Avenue and 210-212, 216 17th Avenue]

Motion approving Final Map 7044, a two Lot Subdivision, Parcel A being a one residential unit and one commercial unit mixed-use condominium project and Parcel B being a three unit residential condominium project, located at 5499 California Street, 208 17th Avenue, and 210-212, 216 17th Avenue; being a subdivision of Assessor's Block No. 1417, Lot No. 031, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-059

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

130336 [Settlement of Lawsuit – Bosque v. CCSF - $49,505.70]

Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for $49,505.70; the lawsuit was filed on May 14, 2010 in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco. (City Attorney's Office)

04/12/13; RECEIVED FROM DEPARTMENT.

04/23/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

130324 [Lease Modification - Amendment No. 5 to United Air Lines, Inc. Lease L73-0066 at Plots 16 and 16B - San Francisco International Airport]

Resolution approving and authorizing the execution of Modification No. 5 to Lease L73-0066 at Plots 16 and 16B with United Air Lines, Inc. at San Francisco International Airport (Airport) to: increase the ground rent to $12,040,710.00 per year; reduce the premises by 6.53 acres of land, resulting in a modified premises of approximately 124.13 acres, together with certain right-of-ways and easements; and grant a one-time option to relinquish up to thirty percent of the land comprising the premises and equivalent land comprising the Employee Parking; for the period of July 1, 2013, through June 30, 2023. (Airport Commission)

04/09/13; RECEIVED FROM DEPARTMENT.

04/23/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130332 [Lease and Use Agreement - Airline/Airport 2011- China Eastern Airlines Corporation Limited - Scandinavian Airlines of North America, Inc.]

Resolution approving the terms of 2011 Lease and Use Agreements between China Eastern Airlines Corporation Limited and Scandinavian Airlines of North America, Inc., respectively, and the City and County of San Francisco, acting by and through its Airport Commission, for a term ending in approximately eight years and two months. (Airport Commission)

04/09/13; RECEIVED FROM DEPARTMENT.

04/23/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130333 [Lease Amendments - Airport Concessions]

Resolution approving Amendment No. 2 to Boarding Area E Candy Kiosk Lease No. 08-0016 with Pacific Gateway Concessions, LLC; Terminal 3 Specialty Store Lease B No. 04-0167 with Marilla Chocolate Company; Airport Spa Lease No. 06-0242 with XpresSpa SF International, LLC; and Amendment No. 3 to Technology Stores and Accessories Lease No. 07-0108 with ILJ San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission for a term of five years. (Airport Commission)

04/11/13; RECEIVED FROM DEPARTMENT.

04/23/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130334 [Lease Agreement - Airport Pay Phones - Pelican Communications, Inc - 20% of Gross Revenue]

Resolution approving Amendment No. 1 to Lease No. 09-0229 with Pelican Communications, Inc., to lower rent to 20% of gross revenue for the term January 1, 2010, through December 3, 2013. (Airport Commission)

04/11/13; RECEIVED FROM DEPARTMENT.

04/23/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130335 [Lease Amendment - Airport Concession - Domestic Food and Beverage - Gotham Enterprises, LLC - Minimum Annual Guarantee $37,353]

Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No. 03-0193 between Gotham Enterprises, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $37,353, for the term of September 29, 2003, through February 23, 2017. (Airport Commission)

04/11/13; RECEIVED FROM DEPARTMENT.

04/23/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:57 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, May 7, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAY 10 2013

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JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 26, 2013, and April 2, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

130131 [Administrative Code - Agricultural Inspection Fees]

Ordinance amending the Administrative Code, Section 1.10, to revise registration fees for inspecting agricultural products; and making environmental findings. (Public Health Department)

FINALLY PASSED

130132 [Administrative Code - Weights and Measures Fees]

Ordinance amending the Administrative Code, Section 1.13-5, to revise registration fees for inspecting and testing weighing and measuring devices as provided by State law; and making environmental findings. (Public Health Department)

FINALLY PASSED

130133 [Administrative Code - Public Health Solid Waste Penalties Fund]

Ordinance amending the Administrative Code, by adding Section 10.100-217, to establish a fund for the deposit of civil penalties assessed by the Department of Public Health and paid by operators of solid waste facilities for violation of solid waste disposal laws; and making environmental findings. (Public Health Department)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120901 [Planning Code - Upper Market Zoning]

Sponsor: Wiener

Ordinance amending Planning Code, Sections 721.1 and 733.1, to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; Section 703.2(b), to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; Section 733, making clerical corrections in tables; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

120902 [Planning Code, Zoning Map - Upper Market Zoning Map]

Sponsor: Wiener

Ordinance amending Planning Code, Sectional Map Sheets ZN07 and HT07, to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District; change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034, from 50-X to 62-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

130313 [Settlement of Lawsuit - Carlos Benavides Arroliga v. CCSF, et al. - $250,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Benavides Arroliga against the City and County of San Francisco for $250,000; the lawsuit was filed on September 13, 2011, in San Francisco Superior Court, Case No. CGC-11-514165; entitled Carlos Benavides Arroliga, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney's Office)

PASSED, ON FIRST READING

130314 [Settlement of Lawsuit - Lloyds and Zurich North America v. CCSF - $80,000]

Ordinance authorizing settlement of the lawsuit by Zurich American Insurance Company, against the City and County of San Francisco for $80,000; the lawsuit was filed on January 17, 2013, in San Francisco Superior Court, Case No. CGC-13-528071; entitled Zurich American Insurance Company v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130312 [Settlement of Claim - Kerry MacRae - $275,000]

Resolution approving the settlement of the unlitigated claim filed by Kerry MacRae against the City and County of San Francisco for $275,000; claim was filed on April 27, 2012. (Public Works Department)

ADOPTED

121102 [Appointments, In-Home Supportive Services Public Authority - Patricia Webb, Kelly Dearman, and Tatiana Kostanian]

Motion appointing Patricia Webb, Kelly Dearman, and Tatiana Kostanian, terms ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Motion No. M13-060

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the Consent Agenda

Supervisor Avalos requested that File No. 130315 be severed so that it may be considered separately.

130315 [Settlement of Lawsuit - CTIA - The Wireless Association]

Ordinance authorizing settlement of a lawsuit filed by CTIA against the City and County of San Francisco; the lawsuit was filed on July 23, 2010, in United States District Court, Northern District of California, Case No. 3:10-cv-03224 (WHA); entitled CTIA - The Wireless Association v. City and County of San Francisco; the material terms of said settlement are that: CTIA and the City will enter into a stipulated Final Judgment for the CTIA, including declaratory relief and a permanent injunction against enforcement of the Cell Phone Right-to-Know Law; the City will cease all litigation over the Cell Phone Right-to-Know Law; and, CTIA will waive its claims for attorney's fees. (City Attorney's Office)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Noes: 1 - Avalos

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

130179 [Agreement - Tom Eliot Fisch/Knapp Architects, JV - Authorizing Waiver of Certain As-Needed Contract Requirements In Order to Complete Design and Engineering of Bayview Opera House - $1,275,000]

Sponsor: Cohen

Ordinance waiving the as-needed contract modification not to exceed amount requirement under Administrative Code, Section 6.64, and authorizing the Director of Public Works to amend its as-needed Architectural Services Agreement with Tom Eliot Fisch/Knapp Architects, JV by increasing the not to exceed amount by $150,000 from $1,125,000 to $1,275,000 for the limited purpose of completing the design and engineering for the Bayview Opera House project for the period of September 2, 2010, through September 1, 2015.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130284 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2013]

Sponsor: Tang

Ordinance recognizing Small Business Month in May 2013; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130299 [Appropriation and De-Appropriation - $4,072,764 for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $4,072,764 to overtime and de-appropriating $4,072,764 consisting of $3,272,301 in permanent salaries and $800,463 in fringe benefits in the Fire Department's operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Sub-Committee

130224 [Agreement - Pacific Gas and Electric Company - University Mound Reservoir Project - $86,765.18]

Sponsor: Campos

Ordinance authorizing the Public Utilities Commission General Manager to enter into a long-term interconnection agreement with Pacific Gas and Electric Company to connect a small renewable energy project at University Mound Reservoir to the electric system; and waiving specific requirements of the Administrative Code and the Environment Code in the best interests of the City for an amount of $86,765.18 with a duration of ten years and automatic renewal every year thereafter.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130319 [Multifamily Housing Revenue Bonds - Western Park Apartments - 1280 Laguna Street - Not to Exceed $25,000,000]

Sponsor: Breed

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $25,000,000 for Western Park Apartments, 1280 Laguna Street, San Francisco, California 94115; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120669 [Subdivision Code - Condominium Conversion Impact Fee]

Sponsors: Farrell; Wiener, Chiu and Yee

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a six year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.
(Economic Impact)
(Supervisor Wiener dissented in Committee.)

Supervisor Farrell, seconded by Supervisor Chiu, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

130262 [Police Code - Access to Reproductive Health Care Facilities]

Sponsors: Campos; Cohen, Kim, Avalos, Wiener, Mar, Breed, Chiu, Yee and Tang

Ordinance amending the Police Code, Article 43, Sections 4301, 4302, 4303, and 4304, to replace the existing eight-foot bubble zone around individuals entering, exiting, and seeking services at health care facilities with a fixed buffer zone around the entrances, exits, and driveways of reproductive health care facilities; and to prohibit any person from entering or remaining in that buffer zone, with certain exceptions; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Rules Committee

130329 [Appointments, Shelter Monitoring Committee - Deborah Muise and Raija Freeman]

Motion appointing Deborah Muise and Raija Freeman, terms ending November 23, 2014, to the Shelter Monitoring Committee, residency requirement waived. (Clerk of the Board)

Motion No. M13-061

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Breed, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Judge Troy L. Nunley of the U.S. District Court in recognition of his recent appointment to the Federal Bench, his accomplishments, and continued community support.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to Sheryl Davis of the Fillmore/Western Addition Neighborhood in recognition of receiving the prestigious Jefferson Award, her accomplishments, and continued community support.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to Recreation and Park Department staff and volunteers in recognition of cleaning up Golden Gate Park after the '420' celebrations, their accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.

130308 [Public Hearing - Appeal of a Final Environmental Impact Report - 706 Mission Street - The Mexican Museum and Residential Tower Project]

Hearing of persons interested in or objecting to the Planning Commission's decision, dated March 21, 2013, Certification of a Final Environmental Impact Report identified as Planning Case No. 2008.1084E, through its Motion No. 18829, a proposed mixed-use project at 706 Mission Street (Assessor's Block No. 3706, Lot Nos. 093, 275, and portions of 277), the Mexican Museum and Residential Tower Project. (District 6) (Appellants: Lippe Gaffney Wagner, LLP, on behalf of the 765 Market Street Residential Owners Association, Friends of Yerba Buena, Paul Wornick, Matthew Schoenberg, Joe Fang, and Margaret Collins; and Brandt-Hawley Law Group on behalf of the Tenants and Owners Development Corporation and Yerba Buena Neighborhood Consortium, LLC) (Filed April 2, 9, and 10, 2013) (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Tom Lippe, Susan Brandt-Hawley, and John Eberling (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Diane Bunag; Elena Gruenberg; Alicia Duke; John Mburu Njoroge; Joe Fang; Paul Sedway; Matthew Shornberg; Richard Laiderman; John Herman; Ron Wornick; Jeannie Riggs; Edward Collins; Jack Clumeck; John Comgs; Howard Wexler; Robert Friend; Terry Eckert; Theresa Shoenberg; spoke in support of the appeal. Debra Dwyer; Devyani Jain; Diego Sanchez, Greg Riessen, and Sarah Jones (Planning Department) and Marlena Byrne (City Attorney's Office) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Margot Bradish (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Female Speaker; Ampero Vigin; Nora Wagner; David de la Torre; Emily Pimentel; Marta Melendez; Sandra Vivanco; Eric Dorrea; Antonio Torres; John Calloway; Tom Dunner; Anna Bolton; Wilson Roberts; Benny Guitierrez; Virginia Grordi; Mike Theriault; Shawn Smith; Juana Villegas; Roberta Padilla; Beatriz Dankin; Arturo Rieza; spoke in support of the project and in opposition to the appeal. Tom Lippe and Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130309 [Affirming FEIR Certification - 706 Mission Street - The Mexican Museum and Residential Tower Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 706 Mission Street - The Mexican Museum and Residential Tower Project. (Clerk of the Board)

Motion No. M13-062

Supervisor Kim, seconded by Supervisor Yee, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130310 [Reversing FEIR Certification - 706 Mission Street - The Mexican Museum and Residential Tower Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 706 Mission Street - The Mexican Museum and Residential Tower Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Yee, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130311 [Preparation of Findings to Reverse FEIR Certification - 706 Mission Street - The Mexican Museum and Residential Tower Project]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 706 Mission Street - The Mexican Museum and Residential Tower Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Yee, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Cathleen Gillis; expressed concerns relating to abortion.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various religious concerns.
Lea Freewall; expressed concerns relating to utility undergrounding.
Peter Warfield; expressed concerns relating to the SF Public Library and fine policy.
Female Speaker; expressed various concerns relating to civil rights and abortion.
Mary Anne Schlong; expressed concerns relating to abortion.
Male Speaker; expressed concerns relating to abortion.
Eugene Gordon, Jr.; expressed various concerns relating to slavery.
Walter Paulson; shared in song certain concerns with the Board.
Ron Sarcastsi; expressed concerns relating to abortion.
Maura Outgreave; expressed concerns relating to abortion.
Vera Haile; spoke in support of immigration reform.
Tom Dunner; expressed concerns relating to abortion.
Otto Duffy; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130354 [Final Map 7335 - 1880 Mission Street]

Motion approving Final Map 7335, a 202 residential unit and three commercial unit mixed-use condominium project, located at 1880 Mission Street, being a merger and resubdivision of Assessor's Block No. 3547, Lot Nos. 002A, 003, 004 and 029, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-063

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File No. 130386 be severed so that it may be considered separately.

130386 [Urging the California State Senate to Pass Senate Bill 622]

Sponsors: Campos; Avalos, Mar and Kim

Resolution urging the California State Senate to Pass Senate Bill 622, which would levy an excise tax of one cent ($0.01) per fluid ounce on any beverage with added caloric sweeteners, such as sodas, in order to fund activities to prevent childhood obesity.

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to May 14, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested that File No. 130387 be severed so that it may be considered separately.

130387 [Urging the United States Senate to Amend Senate Bill 744 and Pass Comprehensive Immigration Reform]

Sponsors: Chiu; Campos and Kim

Resolution urging the United States Senate to amend Senate Bill 744 and pass Comprehensive Immigration Reform legislation to focus on family reunification, create a real pathway to citizenship, and be inclusive of our country's diversity.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

There were none.

PROPOSED RESOLUTIONS

130359 [Sale of Easement - Public Utilities Commission to Pacific Gas & Electric Company - Watershed Lands Near Edgewood Road, Unincorporated San Mateo County - $2,200]

Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 7,800 square feet of watershed lands in unincorporated San Mateo County, near Edgewood Road, by the Public Utilities Commission, for the price of $2,200; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and the priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

04/19/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130360 [Settlement of Claim - Bank of San Francisco v. CCSF]

Resolution approving the proposed settlement of claim filed by Bank of San Francisco against the City and County of San Francisco for $32,246.00; claim was filed on July 17, 2012, bearing claim number 13-00117. (City Attorney's Office)

04/19/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Rules Committee.

130361 [Settlement of Claim - Stanford Group Company v. CCSF]

Resolution approving the proposed settlement of claim filed by Stanford Group Company against the City and County of San Francisco for $63,292.52; claim was filed on July 25, 2012, bearing claim number 13-00190. (City Attorney's Office)

04/18/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Rules Committee.

130362 [Lease Extension Agreement - 711 Van Ness Avenue - Emergency Management and Assessor-Recorder - 14.5 Months for $17,996.67 Per Month]

Resolution authorizing a 14.5 month extension of the Lease with SFOC, LLC, of 9,800 sq. ft. at 711 Van Ness Avenue, for a total lease term of thirty-five months, for the Department of Emergency Management and the Office of the Assessor-Recorder. (Real Estate Department)

04/22/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130391 [Airport Professional Services Agreement Amendment - Curbside Management Program - Not to Exceed $15,067,000]

Resolution approving Amendment No. 1 to Professional Services Agreement, Airport Contract No. 8994, Manage and Staff the Curbside Management Program, between FSP PPM Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $15,067,000, pursuant to Charter, Section 9.118(b), for the period of July 1, 2013, through June 30, 2014. (Airport Commission)

04/24/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130392 [Agreement Amendment - Motorola, Inc., 800 MHz - $28,000,000]

Resolution authorizing the Department of Technology to enter into the Seventh Amendment of the Citywide 800 MHz Radio System Project Agreement between the City and Motorola, Inc., to increase the contract amount to $28,000,000 for the period of September 22, 1997, through September 21, 2017. (Department of Technology)

04/25/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130399 [Report of Assessment Costs for Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

04/29/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Board of Supervisors.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:56 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, May 14, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAY 20 2013

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DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

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ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of April 9, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

130299 [Appropriation and De-Appropriation - $4,072,764 for Overtime - FY2012-2013]
Sponsor: Mayor

Ordinance appropriating $4,072,764 to overtime and de-appropriating $4,072,764 consisting of $3,272,301 in permanent salaries and $800,463 in fringe benefits in the Fire Department's operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.
(Fiscal Impact)

FINALLY PASSED

Recommendation of the Budget and Finance Sub-Committee

130224 [Agreement - Pacific Gas and Electric Company - University Mound Reservoir Project - $86,765.18]

Sponsor: Campos

Ordinance authorizing the Public Utilities Commission General Manager to enter into a long-term interconnection agreement with Pacific Gas and Electric Company to connect a small renewable energy project at University Mound Reservoir to the electric system; and waiving specific requirements of the Administrative Code and the Environment Code in the best interests of the City for an amount of $86,765.18 with a duration of ten years and automatic renewal every year thereafter.

FINALLY PASSED

Recommendation of the Neighborhood Services and Safety Committee

130262 [Police Code - Access to Reproductive Health Care Facilities]

Sponsors: Campos; Cohen, Kim, Avalos, Wiener, Mar, Breed, Chiu, Yee and Tang

Ordinance amending the Police Code, Article 43, Sections 4301, 4302, 4303, and 4304, to replace the existing eight-foot bubble zone around individuals entering, exiting, and seeking services at health care facilities with a fixed buffer zone around the entrances, exits, and driveways of reproductive health care facilities; and to prohibit any person from entering or remaining in that buffer zone, with certain exceptions; and making environmental findings.

FINALLY PASSED

Recommendations of the Rules Committee

130313 [Settlement of Lawsuit - Carlos Benavides Arroliga v. CCSF, et al. - $250,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Benavides Arroliga against the City and County of San Francisco for $250,000; the lawsuit was filed on September 13, 2011, in San Francisco Superior Court, Case No. CGC-11-514165; entitled Carlos Benavides Arroliga, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney's Office)

FINALLY PASSED

130314 [Settlement of Lawsuit - Lloyds and Zurich North America v. CCSF - $80,000]

Ordinance authorizing settlement of the lawsuit by Zurich American Insurance Company, against the City and County of San Francisco for $80,000; the lawsuit was filed on January 17, 2013, in San Francisco Superior Court, Case No. CGC-13-528071; entitled Zurich American Insurance Company v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130284 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2013]

Sponsor: Tang

Ordinance recognizing Small Business Month in May 2013; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Rules Committee

130315 [Settlement of Lawsuit - CTIA - The Wireless Association]

Ordinance authorizing settlement of a lawsuit filed by CTIA against the City and County of San Francisco; the lawsuit was filed on July 23, 2010, in United States District Court, Northern District of California, Case No. 3:10-cv-03224 (WHA); entitled CTIA - The Wireless Association v. City and County of San Francisco; the material terms of said settlement are that: CTIA and the City will enter into a stipulated Final Judgment for the CTIA, including declaratory relief and a permanent injunction against enforcement of the Cell Phone Right-to-Know Law; the City will cease all litigation over the Cell Phone Right-to-Know Law; and, CTIA will waive its claims for attorney's fees. (City Attorney's Office)

FINALLY PASSED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130185 [Appropriation - $656,958 of General Fund Reserve to the Public Defender for Salary Expenditures - FY2012-2013]

Sponsors: Campos; Avalos and Mar

Ordinance appropriating $656,958 from the General Fund Reserve to the Public Defender for salary expenditures in FY2012-2013, pursuant to Charter Section 9.113, this appropriation is subject to a two-thirds affirmative vote of all members of the Board of Supervisors.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130261 [Health Code - Retroactive Increase in Patient Rates for Certain Mental Health Services]

Sponsor: Mayor

Ordinance amending the Health Code, Section 128, to retroactively increase patient rates charged for certain mental health services.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130364 [De-Appropriation and Re-Appropriation - $71,016 to Public Utilities Commission for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance de-appropriating $71,016 in salaries in the Public Utilities Commission, Hetch Hetchy Department, operating budget and re-appropriating $71,016 to overtime in the Public Utilities Commission, Hetch Hetchy Department operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requiring a two-thirds vote of all members of the Board of Supervisors for approval.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130365 [De-Appropriation and Re-Appropriation - Operating Budget Amendment of $5,096,000 and Capital Improvement Projects of $42,178,878 for Public Utilities Commission - FY2013-2014]

Sponsor: Mayor

Ordinance amending the adopted FY2013-2014 Appropriation Ordinance and other adopted biennial capital appropriation ordinances for the Public Utilities Commission, including $3,100,000 in de-appropriation and re-appropriation for the Hetch Hetchy Enterprise operating budget; de-appropriating $16,414,070 and re-appropriating $7,513,665 in capital projects in the Hetch Hetchy Capital Improvement Program projects; de-appropriating and re-appropriating $1,996,000 in the Water Enterprise operating budget; de-appropriating $70,955,900 and re-appropriating $55,169,000 in the in the Water Enterprise Capital Improvement Program projects; and de-appropriating $56,370,059 and re-appropriating $38,878,486 in the Wastewater Enterprise Capital Improvement Program.
(Fiscal Impact)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to June 18, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130366 [De-Appropriation and Re-Appropriation - $250,000 to Public Utilities Commission for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance de-appropriating $250,000 in debt service in the Public Utilities Commission, Water Enterprise Department, operating budget, and re-appropriating $250,000 to overtime in the Public Utilities Commission, Water Enterprise Department, operating budget, in order to support the department's projected increases in overtime, as required by Board of Supervisors Ordinance No. 194-11; and requiring a two-thirds vote of all members of the Board of Supervisors for approval.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130367 [De-Appropriation and Re-Appropriation - $16,546,000 to Public Utilities Commission for Expenditures - FY2012-2013]

Sponsor: Mayor

Ordinance de-appropriating $16,546,000 in existing Wastewater Capital Improvement Program project budgets and re-appropriating the funds to Wastewater Sewer System Improvement Program budgets adopted by the Public Utilities Commission.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130273 [Accept In Kind Gift - Technical Assistance - $250,000]

Resolution authorizing the Office of the District Attorney to retroactively accept an in kind gift of technical assistance valued at $250,000 from the Open Society Foundation for the grant period of January 1, 2013, through June 30, 2015. (District Attorney)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130274 [Accept Gift - Design Services and Furniture - $26,445.43]

Resolution authorizing the Office of the District Attorney to retroactively accept a gift of design services and furniture, valued at a total of $26,445.43 from various donors. (District Attorney)

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, and Cristine DeBerry (District Attorney's Office) who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Avalos, moved that this Resolution be AMENDED to allow the acceptance contingent on the District Attorney filing a Form 801 with the Fair Political Practices Commission, and further requiring the District Attorney to file a copy of the Form 801 with the Clerk of the Board for inclusion in the official file. The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Mar
Noes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

ADOPTED by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos

Recommendations of the Budget and Finance Sub-Committee

130244 [Health, Business and Tax Regulations Code - Regulate and Establish Annual Fees - Cottage Food Operations]

Ordinance amending the Health Code, by adding Section 452.1, to establish a procedure for regulating Cottage Food Operations; amending the Business and Tax Regulations Code, by adding Section 249.1A, to establish annual fees for Cottage Food Operations; and making environmental findings. (Public Health Department)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130286 [Term Sheet Endorsement - Development of Seawall Lot 337 and Pier 48 and Finding of Fiscal Feasibility]

Sponsors: Mayor; Kim, Chiu and Wiener

Resolution finding the proposed development of Seawall Lot 337 and Pier 48, bounded by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay and adjacent to AT&T Park, fiscally feasible under Administrative Code, Chapter 29, and endorsing the Term Sheet between Seawall Lot 337 Associates, LLC and the Port Commission.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130072 [Airport Concession Lease - Clear Channel Outdoor, Inc., dba Clear Channel Airports - $10,000,000 Minimum Annual Guarantee]

Resolution approving the Airport Advertising Lease between Clear Channel Outdoor, Inc., dba Clear Channel Airports, acting by and through its Airport Commission, for an eight year term with a minimum annual guarantee of $10,000,000. (Airport Commission)

Privilege of the floor was granted to Harvey Rose, Budget and Legislative Analyst, and John Martin, San Francisco International Airport Director, who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Kim, moved that this Resolution be CONTINUED to May 21, 2013. Supervisors Avalos and Kim withdrew the motion.

ADOPTED by the following vote:

Ayes: 9 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 2 - Avalos, Campos

130277 [Agreement - Engineered Arresting Systems Corporation - Not to Exceed $40,000,000]

Resolution authorizing the Office of Contract Administration and Purchaser to enter into the Agreement between the Airport Commission and Engineered Arresting Systems Corporation for the not to exceed amount of $40,000,000 for the purchase of an Engineered Material Arresting System for the San Francisco International Airport Runway Safety Area Program. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130342 [Lease Amendment - Master Bike Rental Concession - ParkWide Activities, LLC]

Sponsors: Breed; Mar

Resolution authorizing the execution of a first amendment to the lease between the Recreation and Park Department and ParkWide Activities, LLC, for the operation of a master bike rental concession in City parks, for the period of August 17, 2011, through August 16, 2016.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130343 [Accept and Expend Grant - San Francisco Covered California Initiative - $568,800]

Sponsor: Mayor

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of $568,800 from the State of California to participate in a program entitled San Francisco Covered California Initiative for the period of May 1, 2013, through December 31, 2014.

Privilege of the floor was granted to Jason Elliott (Mayor's Office) indicated that we did not receive the award for additional funding to do outreach and education to individuals about how to purchase insurance on the exchange. Further indicating that the Department of Public Health and the Office of Small Business will continue to do this work in hopes that a second round of funding might be offered.

Supervisor Farrell, seconded by Supervisor Cohen, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130370 [Appropriation and De-Appropriation - Equipment Lease Revenue Bonds, Series 2013A - $2,056,612 - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $2,056,612 of Equipment Lease Revenue Bonds, Series 2013A, Proceeds and de-appropriating $171,628 of equipment lease project to fund related financial costs for issuing Equipment Lease Revenue Bonds, Series 2013A, for Citywide Lease Equipment financing in FY2012-2013.

(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130376 [Issuance - Equipment Lease Revenue Bonds, Series 2013A - Finance Corporation Equipment Program - Not to Exceed $12,500,000]

Sponsor: Mayor

Resolution approving the form of and authorizing execution and delivery of Equipment Lease Revenue Bonds, Series 2013A, Supplement No. 19, between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco (City), as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $12,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130383 [Accept and Expend Grant - Bay Area Regional Energy Network - $931,000]

Sponsor: Mar

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of $931,000 from the Association of Bay Area Governments to perform various activities as part of a Bay Area Regional Energy Network energy efficiency program for the period of January 1, 2013, through December 31, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

130163 [Liquor License Transfer - 2545-24th Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1480 Alabama Street to 2545-24th Street (District 10), to Steven Schefsky and Jim Saxton, for Playland ABC, LLC, will serve the public convenience and necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Tang, seconded by Supervisor Yee, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SMALL BUSINESS WEEK

Monetta White, Vice President, Small Business Commission, provide an overview and made opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Small Business Week, their accomplishments, and their continued community support as referenced below:

Supervisor Tang recognized Rolling Out; and
Supervisor Yee recognized JoJo's Café; and
Supervisor Cohen recognized Gilberth's; and
Supervisor Farrell recognized Poetica Art and Antiques; and
Supervisor Mar recognized Arguello Market; and
Supervisor Chiu recognized 450 Sutter Pharmacy; and
Supervisor Campos recognized Heath Ceramics; and
Supervisor Avalos recognized Vali of the Dolls Hair and Nail, and Dream Teams Runway; and
Supervisor Wiener recognized Beaux, Midnight Sun, Q Bar, and The Edge; and
Supervisor Kim recognized 1:AM Gallery; and
Supervisor Breed recognized The Independent.

Steve Adams, President, Small Business Commission, congratulated the above referenced honorees and made closing remarks.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to SF Public Library and open government. (See additional information submitted on Page 15.)
Peter Warfield; expressed concerns relating to the SF Public Library.
Female Speaker; shared in poem certain concerns with the Board.
Walter Paulson; shared in song certain concerns with the Board.
Seshel Marconen; shared results of recent survey relating to public health benefits.
Male Speaker; expressed various religious concerns.

Supervisor Mar was noted absent at 6:18 p.m. for the remainder of the meeting.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

130403 [Closed Session - Existing Litigation - Consolidated Cases Relating to Transient Occupancy Tax]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on May 14, 2013, for the purpose of conferring with, or receiving advice from, Legal Counsel regarding existing litigation relating to the Transient Occupancy Tax in which the City is a defendant pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the existing litigation.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.

Motion No. M13-064

Supervisor Campos, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

The Board recessed at the hour of 6:39 p.m. to convene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Persons in attendance:
Jose Cisneros, Treasurer/Tax Collector
Ben Rosenfield, Controller
Kate Howard, Mayor's Budget Director
Jon Givner, Deputy City Attorney
Julie Van Nostem, Deputy City Attorney
Peter Keith, Deputy City Attorney
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy Director

Supervisor Wiener was noted absent at 7:16 p.m. for the remainder of the meeting.
Supervisor Avalos was noted absent at 7:25 p.m. for the remainder of the meeting.

Matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENING OF THE BOARD

The Board reconvened at the hour of 7:45 p.m.

The following Supervisors were noted present: Supervisors Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Yee

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Cohen, seconded by Supervisor Yee, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 8 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Yee
Absent: 3 - Avalos, Mar, Wiener

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130411 [Lyme Disease Awareness Month - May 2013]

Sponsors: Kim; Campos

Resolution declaring May 2013 as Lyme Disease Awareness Month.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130431 [Asian Women's Shelter - 25th Anniversary]

Sponsors: Chiu; Kim and Campos

Resolution commemorating the Asian Women's Shelter on their 25th anniversary for their distinguished service to those who have suffered from domestic violence in the City and County of San Francisco.

Supervisors Kim and Campos requested to be added as co-sponsors.

ADOPTED

130432 [San Francisco Conservation Corps - 30th Anniversary]

Sponsors: Chiu; Campos

Resolution commemorating the San Francisco Conservation Corps on their 30th anniversary for their dedication to providing job and academic training to youth in underserved communities in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130433 [Urging the California State Legislature to Pass Assembly Bill 840]

Sponsor: Yee

Resolution urging the California State Legislature to pass Assembly Bill 840 to require the Department of Motor Vehicles to have driver's license applicants sign a statement implying they are aware of the dangers caused by distracted driving.

ADOPTED

130435 [National Hispanic Hepatitis Awareness Day - May 15, 2013]

Sponsors: Campos; Avalos

Resolution declaring May 15, 2013, as National Hispanic Hepatitis Awareness Day in the City and County of San Francisco in order to raise awareness of Hepatitis A, Hepatitis B, and Hepatitis C, and liver health overall, in the lives of San Francisco's diverse Latino and Latina residents.

ADOPTED

130436 [Urging the California State Legislature to Pass Assembly Bill 755]
Sponsors: Mar; Campos, Yee and Chiu
Resolution urging the California State Legislature to pass Assembly Bill 755 to require all proposed new construction or refurbishment of bridges take into account plans for a suicide barrier to become eligible for any State or Federal funds apportioned by the State.

ADOPTED

130397 [Committee of the Whole - Report of Assessment Costs for Blighted Properties]
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 21, 2013, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

Motion No. M13-065

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

Supervisor Cohen, seconded by Supervisor Breed, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File No. 130386 be severed so that it may be considered separately.

130386 [Urging the California State Senate to Pass Senate Bill 622]
Sponsors: Campos; Avalos, Mar and Kim
Resolution urging the California State Senate to Pass Senate Bill 622, which would levy an excise tax of one cent ($0.01) per fluid ounce on any beverage with added caloric sweeteners, such as sodas, in order to fund activities to prevent childhood obesity.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130400 [Health Code - Massage Practitioners]

Ordinance amending the Health Code to exempt massage practitioners who are certified by the State of California and massage establishments that employ only state-certified massage practitioners from requirements for obtaining a permit from the Health Department; and making environmental findings. (Public Health Department)

130401 [Health Code - Hazardous Materials]

Ordinance amending the Health Code to require electronic applications for registration of hazardous materials and for underground storage tanks be filed through the California Environmental Reporting System, to eliminate the requirement that registration of hazardous materials plans include a program for reduction of hazardous materials, and to provide for fee adjustment; and making environmental findings. (Public Health Department)

130402 [Health, Business and Tax Regulations Codes - Safe Body Art]

Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

PROPOSED RESOLUTIONS

130393 [Professional Services Agreement - Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc. - Program Management Support Services for the Terminal 1/Boarding Area B Redevelopment Program - Not to Exceed $32,000,000]

Resolution approving Professional Services Agreement, Airport Contract 9185.9, Program Management Support Services for the San Francisco International Airport, Terminal 1/Boarding Area B Redevelopment Program between T1 Partners, a Joint Venture of Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in the not to exceed amount of $4,453,178 for the first year of services; this is a multi-year, multi-phased program with an estimated total contract value in the not to exceed amount of $32,000,000 pursuant to Charter, Section 9.118(b). (Airport Commission)

130396 [Expenditure Plans - Human Services Care Fund - FYs 2013-2014 and 2014-2015]

Resolution approving the FYs 2013-2014 and 2014-2015 expenditure plans for the Human Services Care Fund. (Human Services Department)

130404 [Agreements - Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring - Not to Exceed $5,000,000 Each]

Resolution authorizing the General Manager of the Public Utilities Commission to execute Agreements with CDM Smith/ATS, a Joint Venture (CS-211A); ICF+Avila, a Joint Venture (CS-211B); Shaw Environmental and Infrastructure, Inc. (CS-211C); and URS Corporation (CS-211D) for Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring, each with an agreement amount not to exceed $5,000,000 and each with a term not to exceed 14 years pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:46 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: City Librarian, Luis Herrera, has his own version of "don't ask, don't tell." His arrangement with The Friends of the San Francisco Public Library, works like this: He won't ask any questions about the millions of dollars they raise and expend each year in the name of the citizens of San Francisco, if they don't tell him anything about where the money goes. Despite the fact that a written agreement, called "The Framework," requires a laughably minimal level of reporting on finances, The Friends did not provide the information and Mr. Herrera did not ask for the information. At the same time, Herrera benefited both directly and indirectly from money received from The Friends. Grant Funding Request documents show a City Librarian's Discretionary Fund of $36,000 for 2008/2009 and $35,000 for 2009/2010. Public records requests give no indication that any of these funds have been reported to any City agency.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, May 21, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAY 24 2013

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

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ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisors Kim and Mar were noted absent. There was a quorum.

AGENDA CHANGES

There were none.

Supervisor Mar was noted present at 2:09 p.m.
Supervisor Kim was noted present at 2:10 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of April 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130443 [Formal Policy Discussions - May 21, 2013]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible question submitted by Supervisor representing District 8. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. In many neighborhoods across the city, our sidewalks don't have the capacity to ensure safe and comfortable pedestrian flow, which squeezes pedestrians into tight areas and forces people to step onto the street. While infrastructure improvements like widening our sidewalks and creating bulb-outs can dramatically alleviate pedestrian congestion issues, these improvements are expensive and resources are limited. A less expensive solution is to improve placement of street furniture, such as surface utility boxes, news racks, bus shelters, advertising kiosks, public toilets and other fixtures on the sidewalk, which individually and in the aggregate impede pedestrian flow and restrict visibility of pedestrians at corners. With so many pieces of sidewalk furniture competing for scarce sidewalk real estate, how will you work with the various Departments that authorize placement of these items to ensure that we are doing everything we can to create safe and comfortable sidewalks along our busy streets? How will you ensure that the City is doing everything that it can to fix existing sidewalk bottlenecks and hazardous pedestrian visibility conditions and ensure that we do not create new ones? How will your Pedestrian Strategy, including the 5 miles per year program, address this problem? (Supervisor Wiener, District 8)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130261 [Health Code - Retroactive Increase in Patient Rates for Certain Mental Health Services]

Sponsor: Mayor

Ordinance amending the Health Code, Section 128, to retroactively increase patient rates charged for certain mental health services.

FINALLY PASSED

130367 [De-Appropriation and Re-Appropriation - $16,546,000 to Public Utilities Commission for Expenditures - FY2012-2013]

Sponsor: Mayor

Ordinance de-appropriating $16,546,000 in existing Wastewater Capital Improvement Program project budgets and re-appropriating the funds to Wastewater Sewer System Improvement Program budgets adopted by the Public Utilities Commission.
(Fiscal Impact)

FINALLY PASSED

Recommendations of the Budget and Finance Sub-Committee

130244 [Health, Business and Tax Regulations Code - Regulate and Establish Annual Fees - Cottage Food Operations]

Ordinance amending the Health Code, by adding Section 452.1, to establish a procedure for regulating Cottage Food Operations; amending the Business and Tax Regulations Code, by adding Section 249.1A, to establish annual fees for Cottage Food Operations; and making environmental findings. (Public Health Department)
(Fiscal Impact)

FINALLY PASSED

130370 [Appropriation and De-Appropriation - Equipment Lease Revenue Bonds, Series 2013A - $2,056,612 - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $2,056,612 of Equipment Lease Revenue Bonds, Series 2013A, Proceeds and de-appropriating $171,628 of equipment lease project to fund related financial costs for issuing Equipment Lease Revenue Bonds, Series 2013A, for Citywide Lease Equipment financing in FY2012-2013.

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

130420 [Real Property Conveyance - Land Dedication - 1294-8 Shotwell Street - Inclusionary Affordable Housing]

Sponsor: Campos

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate, consisting of approximately .27 acres improved by a 11,672 square foot commercial building for the Mayor's Office of Housing pursuant to the land dedication process permitted under Planning Code, Section 419; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

130185 [Appropriation - $656,958 of General Fund Reserve to the Public Defender for Salary Expenditures - FY2012-2013]

Sponsors: Campos; Avalos and Mar

Ordinance appropriating $656,958 from the General Fund Reserve to the Public Defender for salary expenditures in FY2012-2013, pursuant to Charter Section 9.113, this appropriation is subject to a two-thirds affirmative vote of all members of the Board of Supervisors.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130364 [De-Appropriation and Re-Appropriation - $71,016 to Public Utilities Commission for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance de-appropriating $71,016 in salaries in the Public Utilities Commission, Hetch Hetchy Department, operating budget and re-appropriating $71,016 to overtime in the Public Utilities Commission, Hetch Hetchy Department operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requiring a two-thirds vote of all members of the Board of Supervisors for approval.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130366 [De-Appropriation and Re-Appropriation - $250,000 to Public Utilities Commission for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance de-appropriating $250,000 in debt service in the Public Utilities Commission, Water Enterprise Department, operating budget, and re-appropriating $250,000 to overtime in the Public Utilities Commission, Water Enterprise Department, operating budget, in order to support the department's projected increases in overtime, as required by Board of Supervisors Ordinance No. 194-11; and requiring a two-thirds vote of all members of the Board of Supervisors for approval.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

130226 [Park Code - South of Market West Skatepark and Dog Park]

Sponsor: Kim

Ordinance amending the Park Code to designate portions of the property (Assessor's Block No. 3513, Lot Nos. 071 and 074) leased by the City and County of San Francisco from the State of California, immediately under and adjacent to the portions of the Central Freeway located between Otis and Stevenson Streets and between Valencia and Stevenson Streets and partially bounded by Duboce Avenue and referred to as "South of Market (SoMa) West Skatepark and Dog Park," as a "park" within the meaning of the Park Code and to authorize the Recreation and Park Department's Park Patrol to patrol those portions of the leased property; and making environmental findings, and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130381 [Sale - Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C - Not to Exceed $133,275,000]

Sponsors: Mayor; Wiener, Yee and Mar

Resolution authorizing and directing the sale of not to exceed $133,275,000 aggregate principal amount of Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130363 [Appropriation - Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C - $133,275,000 - FY2012-2013]

Sponsors: Mayor; Wiener, Yee, Chiu and Mar

Ordinance appropriating $133,275,000 of the Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013B, Proceeds including $122,058,097 to the Department of Public Works and $11,216,903 to the Municipal Transportation Agency for resurfacing, sidewalk, curb ramp, and street structure improvements, the redesign of street streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority for FY2012-2013 and placing these funds on Controller's Reserve pending the sale of the bonds.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130382 [Sale - Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B - Not to Exceed $31,905,000]

Sponsors: Mayor; Chiu

Resolution authorizing and directing the sale of not to exceed $31,905,000 aggregate principal amount of Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement relating to the sale of said bonds; Approving the Form of the Continuing Disclosure Certificate; Authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130368 [Appropriation - Earthquake Safety and Emergency Response General Obligation Bonds, 2011, Series 2013B - $31,905,000 - FY2012-2013]

Sponsors: Mayor; Chiu

Ordinance appropriating $31,905,000 of the Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B, Proceeds to the Department of Public Works in FY2012-2013 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster; and placing these funds on Controller's Reserve pending the sale of the bonds.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130380 [Issuance - Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A - Not to Exceed $195,000,000]

Sponsors: Mayor; Farrell, Wiener, Chiu, Avalos, Kim and Mar

Resolution providing for the issuance of not to exceed $195,000,000 aggregate principal amount of Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130377 [Sale - Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A - Not to Exceed $74,030,000]

Sponsors: Mayor; Farrell, Wiener, Avalos, Kim, Chiu and Mar

Resolution authorizing and directing the sale of not to exceed $74,030,000 aggregate principal amount of City and County of San Francisco Clean and Safe Neighborhood Parks General Obligation Bonds, 2012, Series 2013A; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive Sale; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of the Preliminary Official Statement and the form and execution of the Official Statement Relating to the Sale of Said Bonds; approving the form of the Continuing Disclosure Certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130371 [Appropriation and De-Appropriation - Clean and Safe Neighborhood Park General Obligation Bonds, 2012, Series 2013A - $74,030,000 - FY2012-2013]

Sponsors: Mayor; Farrell, Wiener, Chiu, Avalos, Kim and Mar

Ordinance appropriating $74,030,000 of the Clean and Safe Neighborhood Park General Obligation Bonds, 2012, Series 2013A, Proceeds including $55,156,304 to the Recreation and Parks Department and $18,873,696 to the Port for the renovation, repair, and construction of parks and open spaces (Proposition B) in FY2012-2013 and placing these funds on Controller's Reserve pending the sale of the bonds.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130335 [Airport Lease Amendment - Gotham Enterprises, LLC - Minimum Annual Guarantee $37,353]

Resolution approving Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No. 03-0193 between Gotham Enterprises, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum annual guarantee of $37,353, for the term of September 29, 2003, through February 23, 2017. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130378 [Lease - Data Center Space - 3101 Gold Center Drive, Rancho Cordova, California - Initial Term of Two Years - Base Annual Rental Rate of $130,473.84]

Sponsors: Mayor; Chiu

Resolution authorizing the use of space and communication services within an existing data center located at 3101 Gold Center Drive, Rancho Cordova, California, from the State of California Technology Agency, Office of Technology Services, through an Agreement; and authorizing certain amendments and extensions to said Agreement as warranted for an initial term of two years with a base annual rental rent of $130,473.84.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130384 [Airspace Lease - State of California - Property along Duboce Street, between Otis Street and Stevenson Street - SoMa West Skatepark - Initial Term of Twenty Years - Initial Monthly Base Rent $10,000]

Sponsor: Kim

Resolution approving the execution of an airspace lease for a portion of property commonly known as Block No. 3513, Lot No. 071, and located along Duboce Street between Otis Street and Stevenson Street, by and between the City and County of San Francisco (City), and the State of California, acting by and through its Department of Transportation, for an initial term of twenty years and an initial monthly rent of $10,000; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and eight priority policies; and authorizing other actions in furtherance of this Resolution.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130385 [Airspace Lease - State of California - Property under Highway 101 near Duboce Street, between Valencia Street and Stevenson Street - SoMa West Dog Park - Initial Term of Twenty Years - Total Base Rent $2,335,343]

Sponsor: Kim

Resolution approving the execution of an airspace lease for a portion of property commonly known as Block No. 3513, Lot No. 074, and located under Highway 101 near Duboce Street, between Valencia Street and Stevenson Street, by and between the City and County of San Francisco (City), and the State of California, acting by and through its Department of Transportation, for an initial term of twenty years and a total base rent of $2,335,343; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and eight priority policies; and authorizing other actions in furtherance of this Resolution.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

130318 [Transportation Code - Extension of Abandoned Vehicle Abatement Fee]

Sponsor: Cohen

Ordinance amending the Transportation Code, Division I, Section 4.4, to authorize the Service Authority for the Abatement of Abandoned Vehicles (the San Francisco Municipal Transportation Agency Board) to extend the $1 abandoned vehicle abatement fee on all vehicles registered to City residents for ten years, from June 1, 2013, through May 31, 2023, and making environmental findings.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130070 [Planning Code - Duboce Park Historic District]

Sponsors: Wiener; Campos

Ordinance amending the Planning Code, by adding a new Appendix N to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Duboce Park Historic District; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130182 [Police, Administrative Codes - Entertainment-Related Permits]

Sponsor: Wiener

Ordinance amending the Police Code to clarify permit requirements and procedures, as well as to expand suspension, citation, and enforcement provisions regarding Entertainment Commission permits, including Place of Entertainment Permits, Limited Live Performance Permits, Temporary Place of Entertainment Permits, Temporary Limited Live Performance Permits, Extended-Hours Premises Permits, and Temporary Extended-Hours Premises Permits, and noise limits and standards; amending the Administrative Code to clarify fee setting and reporting procedures; and making environmental findings.

Supervisor Chiu, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED on Page 29, beginning on Line 6, by adding '(d) Any moratorium under this Section 1070.36 shall only apply to Extended Hours Premises Permits for any premises where Entertainment is furnished or occurs upon the premises and shall not apply to any premises that serves food, beverages, or food and beverages, without Entertainment.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisors Chiu and Campos requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130398 [Public Hearing - Report of Assessment Costs for Blighted Properties]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Gretchen Rud (Department of Public Works) provided an overview of the assessments. Jerome Pallack (540-9th Street); Peter Shaffer (1228 Folsom Street); Harold Nguyen (428 Grove Street); Mary Cantrell (290 Pacific Avenue); Bill (Chinatown); William Chang (934 Howard Street); Sheu Fa; (272 Capp Street); Douglas Yepp; Paul (304 Valencia Street); Ned Gavin; Robert Lo (Mission District); Ray Hartz; spoke objecting to the proposed assessments. Gretchen Rud (Department of Public Works) responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130399 [Report of Assessment Costs for Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

Gretchen Rud (Department of Public Works) indicated that the following addresses be removed from the accompanying report due to recent receipt of payment:

3010-20th Street; 3226-22nd Street; 643-7th Street; 540-9th Street; 2011 Bayshore Boulevard; 1035 Bush Street; 815 Clay Street; 834 Divisadero Street; 27 Duboce Avenue; 5133 Geary Boulevard; 815-829 Grant Avenue; 960 Grant Avenue; 428 Grove Street; 855 Harrison Street; 1606 Harrison Street; 921 Howard Street; 222 Hyde Street; 250 Industrial Street; 947 Judah Street; 2117 Market Street; 1875 Mission Street; 1131 Mission Street; 2829 Mission Street; 460 Natoma Street; 1080 Post Street; 1741 Powell Street; 54 Ringold Street; 112 Russ Street; 2836 San Bruno Avenue; 304 Valencia Street.

The amendments to the accompanying report, as provided by the Department of Public Works, included in File No. 130399, were received without objection.

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Breed, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ASIAN PACIFIC AMERICAN HERITAGE MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Asian Pacific American Heritage Month, their accomplishments, and their continued community support as referenced below:

Supervisor Breed recognized Eugene Wing (Galileo High School); and
Supervisor Kim recognized Joyce and Alan Manalo; and
Supervisor Wiener recognized Mary Jung (Democratic County Central Committee); and
Supervisor Avalos recognized Mario de Mira; and
Supervisor Campos recognized Alan Yi; and
Supervisor Chiu recognized Eva Lee and Betty Louie (Chinatown Merchants Association); and
Supervisor Mar recognized Mark Izu; and
Supervisor Farrell recognized Emerald Yeh; and
Supervisor Cohen recognized Alesana V. Tolai; and
Supervisor Yee recognized Irene Yee-Riley; and
Supervisor Tang recognized Hai Yan Jackson (Hai Yan Jackson Chinese Dance).

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to public records requests and SF Public Library. (See additional information submitted on Page 14.)
Peter Warfield; expressed concerns relating to the SF Public Library.
Edgar Russ; expressed concerns relating to utility poles and safety.
Male Speaker; expressed various religious concerns.
Walter Paulson; shared in song certain concerns with the Board.
Richard Becker; expressed concerns relating to the permit processing.
Christina Sata; expressed concerns relating to MUNI bus service.
John DiDonna; shared in poem certain concerns with the Board.
Douglas Yepp; expressed concerns relating to Santa Clara/San Francisco 49er's.
Male Speaker; expressed various concerns.
Greg Chu; shared information relating to the passing of Tony Wei King.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130467 [Urging the California State Legislature to Pass Assembly Bill 241]

Sponsors: Avalos; Mar and Campos

Resolution urging the California State Legislature and the Governor to pass Assembly Bill 241, the Domestic Worker Bill of Rights, to provide respect, protection, rights, and dignity to domestic workers and to value the work they perform caring for our children, elderly, and our families.

Supervisors Mar and Campos requested to be added as co-sponsors.

ADOPTED

130472 [Public Works Week - May 18-25, 2013]

Sponsors: Wiener; Tang and Campos

Resolution commending the men and women of the Department of Public Works and declaring May 18-25, 2013, as Public Works Week in the City and County of San Francisco.

Supervisors Tang and Campos requested to be added as co-sponsors.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTION

130448 [Contract Amendment - Port of San Francisco - Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza - Not to Exceed $11,491,708]

Resolution authorizing the Executive Director of the Port of San Francisco to execute an amendment to the contract with Kaplan, McLaughlin, and Diaz Architects, and Pfau Long Architecture, a Joint Venture, for architectural and engineering design services for the Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza Project at Pier 27 to increase the not-to-exceed contract amount by $1,541,708 from $9,950,000 to $11,491,708 for the period of November 10, 2009, through December 31, 2014. (Port)

05/13/13; RECEIVED FROM DEPARTMENT.

05/21/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:36 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: Public record requests indicate from 2008-2013, City Librarian Herrera received $181,000 from The Friends of the San Francisco Public Library! Herrera has total discretion in spending these funds, including sums for his personal benefit. As Mr. Herrera has failed to report any of these "gifts" as required by state and local ordinances, I have to wonder whether any of these sums were reported to the IRS or the FTB? As the bulk of these funds were spent on "gifts" for the staff of the library, I also have to wonder, whether these city employees were given proper information about the potential tax liability incurred by accepting these "gifts?" Using his position as City Librarian to direct city employees to withhold public records, to make statements to mislead the public, he has now potentially placed dozens of City employees in a position of having violated both federal and state tax codes!

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, June 4, 2013 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

JUN - 7 2013

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the April 23, 2013, Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

130226 [Park Code - South of Market West Skatepark and Dog Park]

Sponsor: Kim

Ordinance amending the Park Code to designate portions of the property (Assessor's Block No. 3513, Lot Nos. 071 and 074) leased by the City and County of San Francisco from the State of California, immediately under and adjacent to the portions of the Central Freeway located between Otis and Stevenson Streets and between Valencia and Stevenson Streets and partially bounded by Duboce Avenue and referred to as "South of Market (SoMa) West Skatepark and Dog Park," as a "park" within the meaning of the Park Code and to authorize the Recreation and Park Department's Park Patrol to patrol those portions of the leased property; and making environmental findings, and findings of consistency with the General Plan.

FINALLY PASSED

130363 [Appropriation - Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C - $133,275,000 - FY2012-2013]

Sponsors: Mayor; Wiener, Yee, Chiu and Mar

Ordinance appropriating $133,275,000 of the Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013B, Proceeds including $122,058,097 to the Department of Public Works and $11,216,903 to the Municipal Transportation Agency for resurfacing, sidewalk, curb ramp, and street structure improvements, the redesign of street streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority for FY2012-2013 and placing these funds on Controller's Reserve pending the sale of the bonds.
(Fiscal Impact)

FINALLY PASSED

130368 [Appropriation - Earthquake Safety and Emergency Response General Obligation Bonds, 2011, Series 2013B - $31,905,000 - FY2012-2013]

Sponsors: Mayor; Chiu

Ordinance appropriating $31,905,000 of the Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B, Proceeds to the Department of Public Works in FY2012-2013 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster; and placing these funds on Controller's Reserve pending the sale of the bonds.

FINALLY PASSED

130371 [Appropriation and De-Appropriation - Clean and Safe Neighborhood Park General Obligation Bonds, 2012, Series 2013A - $74,030,000 - FY2012-2013]

Sponsors: Mayor; Farrell, Wiener, Chiu, Avalos, Kim and Mar

Ordinance appropriating $74,030,000 of the Clean and Safe Neighborhood Park General Obligation Bonds, 2012, Series 2013A, Proceeds including $55,156,304 to the Recreation and Parks Department and $18,873,696 to the Port for the renovation, repair, and construction of parks and open spaces (Proposition B) in FY2012-2013 and placing these funds on Controller's Reserve pending the sale of the bonds.

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

130318 [Transportation Code - Extension of Abandoned Vehicle Abatement Fee]

Sponsor: Cohen

Ordinance amending the Transportation Code, Division I, Section 4.4, to authorize the Service Authority for the Abatement of Abandoned Vehicles (the San Francisco Municipal Transportation Agency Board) to extend the $1 abandoned vehicle abatement fee on all vehicles registered to City residents for ten years, from June 1, 2013, through May 31, 2023, and making environmental findings.
(Fiscal Impact)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130070 [Planning Code - Duboce Park Historic District]

Sponsors: Wiener; Campos

Ordinance amending the Planning Code, by adding a new Appendix N to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Duboce Park Historic District; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).

FINALLY PASSED

130359 [Sale of Easement - Public Utilities Commission to Pacific Gas & Electric Company - Watershed Lands Near Edgewood Road, Unincorporated San Mateo County - $2,200]

Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 7,800 square feet of watershed lands in unincorporated San Mateo County, near Edgewood Road, by the Public Utilities Commission, for the price of $2,200; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and the priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

ADOPTED

Recommendations of the Rules Committee

130406 [Appointments, Bicycle Advisory Committee - Kevin Dole and Bert Hill]

Motion appointing Kevin Dole and Bert Hill, terms ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-066

APPROVED

130408 [Appointments, Urban Forestry Council - Andrew Sullivan and Dan Kida]

Motion appointing Andrew Sullivan and Dan Kida, terms ending November 18, 2014, to the Urban Forestry Council. (Clerk of the Board)

Motion No. M13-067

APPROVED

130445 [Appointment, Graffiti Advisory Board - Daniel Kling]

Motion appointing Daniel Kling, term ending April 10, 2015, to the Graffiti Advisory Board. (Clerk of the Board)

Motion No. M13-068

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

130182 [Police, Administrative Codes - Entertainment-Related Permits]

Sponsors: Wiener; Chiu and Campos

Ordinance amending the Police Code to clarify permit requirements and procedures, as well as to expand suspension, citation, and enforcement provisions regarding Entertainment Commission permits, including Place of Entertainment Permits, Limited Live Performance Permits, Temporary Place of Entertainment Permits, Temporary Limited Live Performance Permits, Extended-Hours Premises Permits, and Temporary Extended-Hours Premises Permits, and noise limits and standards; amending the Administrative Code to clarify fee setting and reporting procedures; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130340 [Park Code - Farmers' Market Permits]

Sponsor: Wiener

Ordinance amending Park Code, Section 7.21, to authorize Farmers' Markets on Recreation and Park Department property to operate more than once a week, and specifying the applicable permit fee; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130341 [Real Property Acquisition - Park Purposes - 3861-24th Street - $4,242,510]

Sponsors: Wiener; Campos

Resolution authorizing the acquisition of real property at 3861-24th Street, Assessor's Block No. 6509, Lot No. 040, for $4,242,510 for park purposes, from the Noe Valley Ministry PCUSA; finding that the proposed transaction is in conformance with the City's General Plan and the priority policies of Planning Code, Section 101.1, and categorically exempt from environmental review as under the California Environmental Quality Act.
(Fiscal Impact)

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130482 [Appropriation - Port Revenue Bond Proceeds, Surplus Revenues, and Expenditures of Supporting Capital Projects - $34,722,930 - FY2012-2013]

Sponsors: Mayor; Chiu

Ordinance appropriating $34,722,930 consisting of $25,265,500 of 2013 Port Revenue Bond Series A and B proceeds, $849,680 of Interest Earnings, $6,445,220 from 2010 Revenue Bond funded projects, $1,689,074 from 2012 Certificates of Participation Series B funded projects and $473,456 from Port Capital Funded projects to the Port Commission in FY2012-2013 for the development of the Cruise Terminal Project at Pier 27 and the Northern Waterfront Historic Pier Structures Repair Project.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130448 [Contract Amendment - Port of San Francisco - Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza - Not to Exceed $11,491,708]

Resolution authorizing the Executive Director of the Port of San Francisco to execute an amendment to the contract with Kaplan, McLaughlin, and Diaz Architects, and Pfau Long Architecture, a Joint Venture, for architectural and engineering design services for the Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza Project at Pier 27 to increase the not to exceed contract amount by $1,541,708 from $9,950,000 to $11,491,708 for the period of November 10, 2009, through December 31, 2014. (Port)

Privilege of the floor was granted to Megan Wallace and Kip Vonblond (Port) and Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Noes: 2 - Campos, Yee

130488 [Issuance - Port Revenue Bonds - James R. Herman Cruise Terminal Project - Not to Exceed $25,300,000]

Sponsors: Mayor; Chiu

Resolution authorizing the issuance of not to exceed $25,300,000 aggregate principal amount of Port Revenue Bonds for the purpose of financing capital improvements related to Phase II of the James R. Herman Cruise Terminal Project located at Pier 27 and for improvements to Northern Waterfront Historic Piers; authorizing the Port to cause the preparation of such documents necessary in connection with the issuance of said Port revenue bonds; stating the official intent of the Port to reimburse itself with tax-exempt bonds for expenditures made or to be made for the acquisition, construction, or improvement of the project; authorizing the Port to borrow funds on an interim basis from the City's commercial paper program; and related matters.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130428 [Accept and Expend Grant - California Cultural and Historical Endowment Grant for Pier 70 Union Iron Works Stabilization Project - $250,000]

Sponsors: Mayor; Cohen

Resolution authorizing the Port to accept and expend a grant in the amount of $250,000 from the California Cultural and Historical Endowment Under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the Pier 70 Union Iron Works Machine Shop Stabilization Project for the period of June 15, 2013, through December 31, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Sub-Committee

130465 [Settlement of Claims, Litigation, and Appropriation - Water Pipeline Break - 15th Avenue and Wawona Street - Not to Exceed $4,000,000]

Sponsors: Yee; Chiu

Ordinance authorizing the Public Utilities Commission (SFPUC) and the City Attorney's Office to approve settlements of claims or litigation arising out of the February 27, 2013, accidental break of the SFPUC's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street in San Francisco for amounts exceeding $25,000 per claim, notwithstanding Administrative Code, Section 10.22 et.seq., subject to a total amount not to exceed $4,000,000 if the Controller certifies availability of funds, and subject to periodic reporting to the Board of Supervisors Rules Committee; and appropriating $4,000,000 from the Water Enterprise fund balance for such purpose.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130295 [Real Property Lease Renewal and Amendment - 1390 Market Street - BRCP 1390 Market, LLC - Monthly Rent of $82,818.07]

Resolution authorizing the five year renewal and amendment of a lease of approximately 27,826 square feet of space at 1390 Market Street with BRCP 1390 Market, LLC, as Landlord, for use by the Department of Public Health at the monthly cost of $82,818.07 for the period of December 1, 2013, through November 30, 2018. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130391 [Airport Professional Services Agreement Amendment - Curbside Management Program - Not to Exceed $14,636,814]

Resolution approving Amendment No. 1 to Professional Services Agreement, Airport Contract No. 8994, Manage and Staff the Curbside Management Program, between FSP PPM Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $14,636,814, pursuant to Charter, Section 9.118(b), for the period of July 1, 2013, through June 30, 2014. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130418 [Retail Lease - Sega Food Groups, Inc. - 133 O'Farrell Street - Annual Base Rent of $180,000]

Sponsor: Chiu

Resolution authorizing the Municipal Transportation Agency to execute a retail lease agreement with Sega Food Groups, Inc., and Ramin Vahabi for approximately 1,127 square feet of retail space at 133 O'Farrell Street, for a 10 year term, plus two five year extension options, at an initial annual base rent of $180,000 with annual increases.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130421 [Accept and Expend Grant - Highway Bridge Program - $3,415,487]

Sponsor: Cohen

Resolution authorizing the Department of Public Works to retroactively accept and expend a Federal grant in the amount of $3,415,487 from the Federal Highway Administration for the Islais Creek Bridge Rehabilitation Project for the period of May 1, 2013, through March 31, 2015.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130422 [Contract for, Accept, and Expend Grant - Criminal Restitution Compact - Up to $256,974]

Sponsor: Cohen

Resolution authorizing the Office of the District Attorney to contract for, accept, and expend up to $256,974 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2013, through June 30, 2016.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

130419 [Resolution of Intention - Top of Broadway Community Benefit District]

Sponsor: Chiu

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Top of Broadway Community Benefit District" and levy a multi-year assessment on identified parcels in the district; approving the Management District Plan, Engineer's Report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballots; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130470 [Resolution of Intention - Renew and Expand the Central Market Community Benefit District]

Sponsor: Kim

Resolution declaring the intention of the Board of Supervisors to renew and expand the property-based business improvement district (community benefit district) to be known as the "Central Market Community Benefit District" and levy a multi-year assessment on all parcels in the district; approving the Management District Plan, Engineer's Report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

111278 [Planning Code, Zoning Map - Establishing the Art and Design Educational Special Use District - 1111 Eighth Street]

Sponsor: Cohen

Ordinance amending the Planning Code, by adding Section 249.67, and the Zoning Map, Section Map SU08, to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts, and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120488 [Environment Code - Bottle Filling Stations]

Sponsor: Chiu

Ordinance amending the Environment Code, by adding Chapter 23, to require new buildings that have drinking fountains to provide bottle filling stations; and making environmental and other findings.

Supervisor Chiu, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 3, Lines 6 and 7, by adding 'California Title 24 accessibility' before 'standards'; and deleting 'of the Americans with Disabilities Act'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130180 [Planning Code - Pre-Application Meetings in Production/Distribution/Repair-1-B (Light Industrial Buffer) District]

Sponsor: Cohen

Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

130233 [Comprehensive Immigration Reform Including Same-Sex Couples]

Sponsors: Campos; Avalos, Wiener, Chiu, Yee, Kim, Mar and Cohen

Resolution urging Congress to pass an inclusive comprehensive immigration reform that includes all families, including same-sex couples.

Supervisors Kim, Mar, and Cohen requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130245 [Liquor License Transfer - 522 Sutter Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 539 Sutter Street to 522 Sutter Street (District 3), to Naser J. Zakout for the Theatre Too Café, will serve the public convenience or necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Neighborhood Services and Safety Committee

130168 [Liquor License Transfer - 800 Post Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street (District 3), to Dan Cowan and Jim Saxton for UNX Enterprises, LLC, dba Café Royale, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

Supervisor Chiu, seconded by Supervisor Yee, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street (District 3), to Dan Cowan and Jim Saxton for UNX Enterprises, LLC, dba Café Royale, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

130330 [Appointment, SOMA Community Stabilization Fund Community Advisory Committee - M. Alicia Duke]

Motion appointing M. Alicia Duke, term ending April 27, 2015, to the SOMA Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)

Motion No. M13-069

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130407 [Appointment, Ethics Commission - Brett Andrews]

Motion appointing Brett Andrews, term ending February 1, 2017, to the Ethics Commission. (Clerk of the Board)

Supervisor Avalos, seconded by Supervisor Campos, moved that this Motion be RE-REFERRED to the Rules Committee. The motion FAILED by the following vote:
Ayes: 4 - Avalos, Campos, Kim, Mar
Noes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee

Motion No. M13-070

APPROVED by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 3 - Avalos, Campos, Mar

130410 [Appointments, Pedestrian Safety Advisory Committee - Pi Ra and Rebecca Hogue]

Motion appointing Pi Ra and Rebecca Hogue, terms ending March 28, 2015, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Motion No. M13-071

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Members of the California Domestic Workers Coalition, in particular, Mujeres Unidas y Activas and La Colectiva de Mujeres in recognition of their accomplishments and continued community support.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Andrea Tobar, Kindergarten Teacher, of the Marshall Elementary School, in recognition of his accomplishments and continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Bill Wycko, Environmental Review Officer, of the Planning Department, in recognition of his 30 years of service with the City and County of San Francisco upon his retirement.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Dale Seymour; expressed various concerns relating to Carl's Jr. detriment to the Tenderloin.
Pam Gill; expressed various concerns relating to live wires.
Caroline; shared in poem certain concerns with the Board.
Mark Berg; expressed concerns relating to taxi drivers.
Sheryl McGuire; expressed concerns relating to taxi drivers and ride share.
Walter Paulson; shared in song certain concerns with the Board.
John Jergen; expressed various concerns relating to religious beliefs.
Male Speaker; expressed various concerns relating to the Municipal Transportation Agency's Commission meeting.
Shane Massin; expressed various concerns relating to Hayes Valley Farm.
Dorian Maxwell; expressed various concerns relating to Municipal Transportation Agency.
James Bosworth; expressed various concerns relating to the Municipal Transportation Agency's deficit.
John DiDonna; shared in poetry certain concerns with the Board.
Male Speaker; expressed various concerns relating to community transformations.
Lance; expressed various concerns relating to the Central Subway project.
Howard Wong; expressed various concerns relating to the Central Subway project budget.
Male Speaker; expressed various concerrns relating to the Central Subway project.
Nadia Williams; expressed various religious concerns relating the Central Subway project.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130498 [Lafayette Park Grand Reopening]

Sponsors: Farrell; Campos

Resolution recognizing the grand reopening of the Lafayette Park and commending the Recreation and Park Department, Department of Public Works, Friends of Lafayette Park, and the entire project team, for their hard work and commitment to San Francisco's parks and its residents.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130457 [Final Map 7336 - 1080 Sutter Street]

Motion approving Final Map 7336, a 35 residential unit and one commercial unit, mixed-use condominium project, located at 1080 Sutter Street being a subdivision of Assessor's Block No. 0279, Lot No. 011, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-072

APPROVED

130475 [Final Map 7424 - 3500-19th Street]
Motion approving Final Map 7424, a 17 residential unit and two commercial unit, mixed-use condominium project, located at 3500-19th Street being a subdivision of Assessor's Block No. 3588, Lot No. 012, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-073

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130449 [Settlement of Lawsuit - Jesse J. Byrd - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Jesse J. Byrd, Malik Britt, and Rashad Conley against the City and County of San Francisco for $75,000; the lawsuit was filed on April 8, 2011, in U. S. District Court, Northern District of California, Case No. C11-1742-DMR; entitled Jesse J. Byrd, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

05/13/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

130450 [Offer to Compromise - Zeno Zimmerman - $125,000]

Ordinance authorizing the service of a 998 Offer To Compromise in the lawsuit filed by Zeno Zimmerman against the City and County of San Francisco for $125,000; the lawsuit was filed on December 6, 2011, in San Francisco County Superior Court, Case No. CGC-11-516360; entitled Zeno Zimmerman, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

05/13/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

130507 [Settlement of Lawsuit - Local Search Association - $85,000]

Ordinance authorizing settlement of the lawsuit filed by Local Search Association against the City and County of San Francisco for $85,000; the lawsuit was filed on June 7, 2011, in the United States District Court for the Northern District of California, Case No. CV-11-2776 SBA; entitled Local Search Association v. City and County of San Francisco, et al.; other material terms of said settlement are that the parties shall stipulate to entry of a consent judgment against the City and County of San Francisco. (City Attorney's Office)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

130508 [General Plan - Van Ness Area Plan - California Pacific Medical Center - Cathedral Hill Campus]

Ordinance amending the General Plan, Van Ness Area Plan, in order to facilitate the development of a high density medical center at the transit nexus of Van Ness Avenue and Geary Boulevard, and reflect various elements of this use; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130509 [General Plan Maps - Urban Design Element and Van Ness Area Plan - California Pacific Medical Center - Cathedral Hill Campus]

Ordinance amending the General Plan, Map 5 of the Urban Design Element, to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 385 feet and 466 feet, respectively, for the Cathedral Hill Campus Hospital site and 265 feet and 290 feet, respectively, for the Cathedral Hill Campus Medical Office Building site; Map 1 of the Van Ness Area Plan, to designate the sites of the proposed Cathedral Hill Campus Hospital and Cathedral Hill Campus Medical Office Building as the Van Ness Medical Use Subdistrict and increase the floor area ratio to 7.5:1 for the Cathedral Hill Campus Medical Office Building site; and Map 2 of the Van Ness Area Plan, to create a 230-V height/bulk district coterminous with the Hospital site; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130510 [General Plan Maps - Urban Design Element - California Pacific Medical Center - St. Luke's Campus]

Ordinance amending the San Francisco General Plan, Map 4 of the Urban Design Element to increase the height limit for the California Pacific Medical Center's St. Luke's Campus, Assessor's Block No. 6575, Lot Nos. 001-002, and Assessor's Block No. 6576, Lot No. 021, and the portion of San Jose Avenue between Cesar Chavez Street and Twenty Seventh Street to 145 feet for a portion of the St. Luke's Campus Hospital site where the hospital tower will be located, and 105 feet for the balance of the Campus; and Map 5 of the Urban Design Element to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 229 feet and 285 feet, respectively, for the St. Luke's Campus Hospital site and 204 feet and 228 feet, respectively, for the St. Luke's Medical Office Building site; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

130451 [Settlement of Claim - Magdaleno Rios - $50,000]

Resolution approving the settlement of the unlitigated claim filed by Magdaleno Rios against the City and County of San Francisco for $50,000; claim was filed on February 8, 2013. (City Attorney's Office)

05/13/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

130452 [Settlement of Claim - Sharon Prieto - $40,000]

Resolution approving the proposed settlement of claim by Sharon Prieto against the City and County of San Francisco for $40,000; the claim was filed on June 11, 2012, bearing Claim No. 12-02916. (City Attorney's Office)

05/13/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Rules Committee.

130511 [Contract Amendment - HealthRIGHT 360 - $19,129,695]

Resolution approving an amendment to the contract between the Department of Public Health and HealthRIGHT 360 to provide mental health and substance abuse care services in the San Francisco County Jail system to extend the term by two and one half years, from the period of July 1, 2010, through June 30, 2012, to the period of July 1, 2010, through December 31, 2015, for a total contract term of five and one half years, and to increase the total contract amount by $9,130,695 from $9,999,000 to $19,129,695. (Public Health Department)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130512 [Contract Amendment - West Bay Housing Corporation - $26,050,297]

Resolution approving an amendment to the contract between the Department of Public Health and West Bay Housing Corporation to provide Scattered Site Housing and Rental Subsidies Program Services to extend the term from April 1, 2009, through June 30, 2013, to April 1, 2009, through June 30, 2018, and to increase the total contract amount by $16,480,867 from $9,569,430 to $26,050,297. (Public Health Department)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130513 [Contract - MedImpact Healthcare Systems, Inc. - $28,291,346]

Resolution approving a contract between the Department of Public Health and MedImpact Healthcare Systems, Inc., to provide Pharmacy Benefits Management Services, including computerized approval of prescriptions at a network of community pharmacies for Community Behavioral Health Services clients who do not have prescription drug insurance, in the amount of $28,291,346 for the term of July 1, 2013, through June 30, 2018. (Public Health Department)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130514 [Contract Amendment - Siemens Medical Solutions USA, Inc. - Not to Exceed $52,314,454]

Resolution authorizing the Department of Public Health to enter into a contract amendment with Siemens Medical Solutions USA, Inc., for the purchase of product and service enhancements for the term of July 1, 2010, through June 30, 2017, with one option to extend the initial term for an additional 24 months, ending June 30, 2019, for an amount not to exceed 52,314,454. (Public Health Department)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130515 [Report of Assessment Costs - Sidewalk and Curb Repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Board of Supervisors.

130516 [Emergency Contract - HHP Holm Powerhouse Unit 1 - Not to Exceed $521,465.07]
Resolution approving an emergency public work contract of the Public Utilities Commission under San Francisco Administrative Code, Section 6.60, to replace the HHP Holm Powerhouse Unit 1 with a contract amount not to exceed $521,465.07. (Public Utilities Commission)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130517 [Emergency Contract - Declaration of Emergency - North Shore Force Main - Not to Exceed $7,000,000]
Resolution approving a Declaration of Emergency and emergency contract to repair leaks along the North Shore Force Main in the amount not to exceed $7,000,000. (Public Utilities Commission)

05/24/13; RECEIVED FROM DEPARTMENT.

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:51 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, June 11, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

GOVERNMENT
DOCUMENTS DEPT

JUN 17 2013

SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisor Breed was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of May 7, 2013. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Breed

COMMUNICATIONS

There were none.

Supervisor Breed was noted present at 2:10 p.m.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130573 [Formal Policy Discussions - June 11, 2013]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted by the Supervisors representing Districts 1, 3, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. As part of our state's efforts to curb greenhouse gases by 15% by 2040, California, under SB 375, requires that the San Francisco Bay Area, create land-use and transportation based "Sustainable Communities Strategies" to meet this goal. The Association of Bay Area Governments and MTC are developing a plan called Plan Bay Area to comply with this mandate.

The Plan requires that most of the additional 2.1 million people projected to live in the Bay Area by 2040 be housed near transit and jobs to discourage the use of cars as their primary means of commuting. San Francisco would build 92,400 more housing units for 280,000 more people and 190,000 more jobs, most in the high tech sector.

SB 375 also calls for streamlining the CEQA process for "Transit Priority Projects." Potentially, the entire city of San Francisco would be eligible for CEQA exemption. This proposed reduction in scrutiny of development projects could further exacerbate those displacement impacts to existing communities.
Upwards of 33% of people living in communities of concern in San Francisco, areas with high numbers of renters, low income households, and non-English-speakers, could be displaced. Over 40 local and regional environmental and community advocacy groups oppose the current draft Plan.

A consensus has formed around the following recommendations for making Plan Bay Area better:
- Provide $3 billion in additional operating revenue for local transit service and commit to a long-range "Regional Transit Operating Program" to boost transit operating subsidies by another $9 billion over the coming years,
- Move 5 percent of the housing growth from low-income communities (mainly in San Francisco, Oakland, and San Jose) to transit-connected suburban job centers.
- Incorporate strong anti-displacement policies for community stabilization measures, such as land banking and preservation of affordable housing in at-risk neighborhoods.
- Direct the Planning Department to analyze the impacts of potential CEQA streamlining as soon as possible and create strong mitigation measures.

Do you support these measures, and are you committed to a plan with lower displacement levels than the current proposal? If you do not support these ideas, why not? (Supervisor Mar, District 1)

2. Mr. Mayor, last year, the Board of Supervisors made small but important changes to your proposed budget that represented our shared citywide priorities. In recent months, Controller data indicates that positions allocated by the Board for librarians, recreation and park staff, building inspection, health and labor enforcement, urban agriculture and other Board priorities were either not filled or only recently hired. Will you commit to ensuring that when the FY13-14 budget is approved, our Board of Supervisors' priorities are treated equally to your Administration's, with positions filled as soon as possible? What can we do to work together to improve our hiring process once positions are created? (Supervisor Chiu, District 3)

3. At my request, the Budget and Legislative Analyst recently released a performance audit of the San Francisco Housing Authority that details an agency in crisis. I know you have been conducting a Housing Authority working group for many months to address this crisis. Given the local management problems at the Housing Authority and the fact that the Federal government has, for years, been turning its back on the nation's poorest residents by defunding housing authorities across the nation, what is your long term vision to save public housing--a significant public asset to

San Francisco? (Supervisor Campos, District 9)

4. The housing search engine, Rent Jungle, estimates that as of May 2013, the average rent for a one-bedroom apartment in San Francisco is $2547, and the average rent for a two-bedroom apartment is $3206. Using the accepted standard that you should not spend more than 30% of your income on housing, this means a household salary of $128,000 is needed to rent the average two-bedroom.

Working people and even most professionals cannot afford the current rents, and those who are in rent-controlled housing are feeling very vulnerable to displacement with the increased pressure on their landlords to find some way to evict them and triple their rents.

Are you concerned that your administration's policies to stimulate economic activity, especially supporting the tech industry, have created one-sided development and only jobs for high-income "appsters," and have exacerbated the already extremely limited housing market? Do you have any plans to address the increasing rents, and increasing rate of evictions and displacement of long-time San Francisco renters? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130340 [Park Code - Farmers' Market Permits]

Sponsor: Wiener

Ordinance amending Park Code, Section 7.21, to authorize Farmers' Markets on Recreation and Park Department property to operate more than once a week, and specifying the applicable permit fee; and making environmental findings.

FINALLY PASSED

130482 [Appropriation - Port Revenue Bond Proceeds, Surplus Revenues, and Expenditures of Supporting Capital Projects - $34,722,930 - FY2012-2013]

Sponsors: Mayor; Chiu

Ordinance appropriating $34,722,930 consisting of $25,265,500 of 2013 Port Revenue Bond Series A and B proceeds, $849,680 of Interest Earnings, $6,445,220 from 2010 Revenue Bond funded projects, $1,689,074 from 2012 Certificates of Participation Series B funded projects and $473,456 from Port Capital Funded projects to the Port Commission in FY2012-2013 for the development of the Cruise Terminal Project at Pier 27 and the Northern Waterfront Historic Pier Structures Repair Project.
(Fiscal Impact)

FINALLY PASSED

Recommendation of the Budget and Finance Sub-Committee

130465 [Settlement of Claims, Litigation, and Appropriation - Water Pipeline Break - 15th Avenue and Wawona Street - Not to Exceed $4,000,000]

Sponsors: Yee; Chiu

Ordinance authorizing the Public Utilities Commission (SFPUC) and the City Attorney's Office to approve settlements of claims or litigation arising out of the February 27, 2013, accidental break of the SFPUC's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street in San Francisco for amounts exceeding $25,000 per claim, notwithstanding Administrative Code, Section 10.22 et.seq., subject to a total amount not to exceed $4,000,000 if the Controller certifies availability of funds, and subject to periodic reporting to the Board of Supervisors Rules Committee; and appropriating $4,000,000 from the Water Enterprise Fund Balance for such purpose.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

111278 [Planning Code, Zoning Map - Establishing the Art and Design Educational Special Use District - 1111 Eighth Street]

Sponsor: Cohen

Ordinance amending the Planning Code, by adding Section 249.67, and the Zoning Map, Section Map SU08, to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts, and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

130180 [Planning Code - Pre-Application Meetings in Production/Distribution/Repair-1-B (Light Industrial Buffer) District]

Sponsor: Cohen

Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

120488 [Environment Code - Bottle Filling Stations]

Sponsors: Chiu; Mar

Ordinance amending the Environment Code, by adding Chapter 23, to require new buildings that have drinking fountains to provide bottle filling stations; and making environmental and other findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130483 [Appropriation - Water Revenue Bonds for the Public Utilities Commission Calaveras Dam Project - $55,064,799; and Re-Appropriation - Water System Improvement Projects - $77,271,24 - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $55,064,799 of proceeds from San Francisco Public Utilities Commission (SFPUC) Water Revenue Bonds to fund the Water System Improvement Program (WSIP) Calaveras Dam Project and re-appropriating $77,271,241 of WSIP Project appropriations to various WSIP Projects consistent with the revised April 2013 WSIP Program Budget adopted by the SFPUC.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

121186 [Feeder Agreement - BART]

Resolution retroactively approving the Feeder Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for payment for transfer trips, with a term from July 1, 2010, to June 30, 2020. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

121187 [Agreement - Use of Fast Pass® on BART]

Resolution retroactively approving the Special Transit Fare (Fast Pass®) Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, with a term from January 1, 2010, to June 30, 2014. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130404 [Agreements - Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring - Not to Exceed $5,000,000 Each]

Resolution authorizing the General Manager of the Public Utilities Commission to execute Agreements with CDM Smith/ATS, a Joint Venture (CS-211A); ICF+Avila, a Joint Venture (CS-211B); Shaw Environmental and Infrastructure, Inc. (CS-211C); and URS Corporation (CS-211D) for Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring, each with an agreement amount not to exceed $5,000,000 and each with a term not to exceed 14 years pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130487 [Real Property Lease - 1145 Market Street - San Francisco Law Library - $42,753.75 Per Month]

Sponsor: Mayor

Resolution authorizing a potential five-year lease of up to 20,000 sq. ft. at 1145 Market Street for space for the San Francisco Law Library from 1145 Market Street, LP, a California limited partnership, at an initial monthly cost of $42,753.75 for the period of July 1, 2013, through June 30, 2014.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130466 [Real Property Lease - 1145 Market Street - Health Service System - $743,280 Annually]

Sponsor: Mayor

Resolution authorizing a 10-year lease of 19,560 sq. ft. at 1145 Market Street for office space for the Health Service System from 1145 Market Street, LP, for an initial annual rent of $743,280.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Sub-Committee

130468 [Real Property Lease Amendment - PROXYdevelopment, LLC - Revised Monthly Base Rent to $7,200]

Sponsor: Breed

Resolution approving the execution of a lease amendment for a portion of property commonly known as Assessor's Block No. 0817, Lot No. 30 (Parcel K), by and between the City and County of San Francisco and PROXYdevelopment, LLC, for an extended term through January 31, 2021, and a revised monthly base rent of $7,200 effective June 1, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130425 [Accept and Expend Grant - Friends of San Francisco Public Library - Up to $750,000]

Sponsor: Mayor

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of up to $750,000 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services for the period of July 1, 2012, through June 30, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130469 [Accept and Expend Gift - EcoCenter - $20,000]

Sponsor: Kim

Resolution authorizing the Department of the Environment to retroactively accept and expend a gift in the amount of $20,000 from CH2MHill to build out the Department of the Environment's EcoCenter at 1455 Market Street for an unspecified period starting February 1, 2013.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 1, Line 3, by deleting 'retroactively'; and on Page 1, Line 6, by changing 'February 1, 2013' to 'July 1, 2013'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution authorizing the Department of the Environment to accept and expend a gift in the amount of $20,000 from CH2MHill to build out the Department of the Environment's EcoCenter at 1455 Market Street for an unspecified period starting July 1, 2013.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130471 [SOMA Community Stabilization Fund Program - $300,000]

Sponsors: Kim; Campos

Resolution authorizing the 2013 South of Market Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization Fund dollars in the amount of $300,000.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130473 [Emergency Contract - Laguna Honda Hospital Cart Wash - Not to Exceed $328,644]

Sponsor: Yee

Resolution approving funding increase for an emergency public work contract under Administrative Code, Section 6.60, to repair a kitchen cart wash leak and related mold abatement at Laguna Honda Hospital in an amount not to exceed $328,644.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130489 [Apply for, Accept, and Expend Grant - HOME Program - FY2013-2014 - $4,113,152]

Sponsor: Mayor

Resolution approving the FY2013-2014 HOME Investment Partnership (HOME) Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $4,083,152 and to expend program income in the amount of $30,000 for the period of July 1, 2013, through June 30, 2018.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130490 [Apply for, Accept, and Expend Grant - Emergency Solutions Grants Program - FY2013-2014 - $1,182,146]

Sponsor: Mayor

Resolution approving the Emergency Solutions Grants Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 Emergency Solutions Grants Program entitlement in the amount of $1,182,146 from the U.S. Department of Housing and Urban Development for an unspecified period starting July 1, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130491 [Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - FY2013-2014 - $11,179,285]

Sponsor: Mayor

Resolution approving the Housing Opportunities for Persons with AIDS (HOPWA) Program and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $8,633,125 and to expend program income and reprogrammed funds in the amount of $2,546,160 for the period of July 1, 2013, through June 30, 2018.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130492 [Apply for, Accept, and Expend Grant - Community Development Block Grant - FY2013-2014 - $24,094,211]

Sponsor: Mayor

Resolution approving the Community Development Block Grant (CDBG) Program authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2013-2014 CDBG Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $17,155,981 and to expend program income and reprogrammed funds in the amount of $6,938,230 for a combined total of $24,094,211 for a period beginning July 1, 2013, without an expiration date.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130495 [Term Sheet Endorsement - Forest City Development - Development of Pier 70 Waterfront Site - Fiscal Feasibility]

Sponsors: Mayor; Cohen

Resolution finding the proposed development of the Pier 70 Waterfront Site, an approximately 28-acre site located in the southeast corner of Pier 70, fiscally feasible under Administrative Code, Chapter 29, and endorsing the Term Sheet between Forest City Development California, Inc., a California corporation, and the Port Commission.
(Fiscal Impact)

Privilige of the floor was granted to Brad Benson (Port) who responded to questions raised throughout the discussion and provided an updated Term Sheet.

Supervisor Cohen, seconded by Supervisor Breed, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The amendments to the accompanying Term Sheet, as provided by the Port, included in File No. 130495, were received without objection.

ADOPTED AS AMENDED, after accepting the amendments to the accompanying Term Sheet, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130499 [Accept and Expend Grant - San Francisco Parks Alliance - Carl Larsen Park - $225,000]

Sponsor: Tang

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant of $225,000 from the San Francisco Parks Alliance for the renovation of the playground in Carl Larsen Park, for the period of June 1, 2013, through October 1, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130362 [Lease Extension Agreement - 711 Van Ness Avenue - Emergency Management and Assessor-Recorder - 14.5 Months for $17,996.67 Per Month]

Resolution authorizing a 14.5 month extension of the Lease with SFOC, LLC, of 9,800 sq. ft. at 711 Van Ness Avenue, for a total lease term of 35 months with a base rent of $17,966.67 per month, for the Department of Emergency Management and the Office of the Assessor-Recorder for the period of April 14, 2014, through June 30, 2015. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130393 [Professional Services Agreement - Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc. - Program Management Support Services for the Terminal 1/Boarding Area B Redevelopment Program - Not to Exceed $32,000,000]

Resolution approving Professional Services Agreement, Airport Contract 9185.9, Program Management Support Services for the San Francisco International Airport, Terminal 1/Boarding Area B Redevelopment Program between T1 Partners, a Joint Venture of Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in the not to exceed amount of $4,453,178 for the first year of services; this is a multi-year, multi-phased program with an estimated total contract value in the not to exceed amount of $32,000,000 pursuant to Charter, Section 9.118(b). (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130427 [New Market Tax Credit Program - Continuation]

Sponsors: Mayor; Breed

Resolution approving the continuation of the New Market Tax Credit Program, established by the former Redevelopment Agency of the City and County of San Francisco, revisions to the Bylaws of the San Francisco Community Investment Fund, and contributions of City staff under a Cooperative Agreement, and authorizing the San Francisco Community Investment Fund to enter into contracts to implement New Market Tax Credit Program at no cost to the City's General Fund.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130500 [Emergency Contract - Water and Sewer Pipelines - Vicinity of 15th Avenue and Wawona Street - Not to Exceed $1,450,000]

Sponsor: Yee

Resolution approving an emergency public work contract for the Public Utilities Commission under Administrative Code, Section 6.60, to replace the water and sewer pipelines in the vicinity of 15th Avenue and Wawona Street with a contract amount not to exceed $1,450,000.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120669 [Subdivision Code - Condominium Conversion Fee]

Sponsors: Farrell; Wiener, Chiu, Yee and Kim

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.
(Economic Impact)
(Supervisor Wiener dissented in Committee.)

Privilege of the floor was granted to John Malamut, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Chiu, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 3 - Farrell, Tang, Wiener

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion fee applicable to certain buildings that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

Supervisor Breed, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion FAILED by the following vote:
Ayes: 5 - Breed, Cohen, Farrell, Tang, Wiener
Noes: 6 - Avalos, Campos, Chiu, Kim, Mar, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 3 - Farrell, Tang, Wiener

130251 [Public Works Code - Public Improvements as Gifts]

Sponsors: Wiener; Yee

Ordinance amending the Public Works Code, by adding Section 791, to allow the Director of the Department of Public Works, subject to specified requirements, to accept certain public improvements as public gifts and dedicate such improvements to public use; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130252 [Administrative Code - Street Design Review Committee]

Sponsors: Wiener; Yee

Ordinance amending the Administrative Code to establish a Street Design Review Committee.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130253 [Fire Code - Fire Apparatus Access Roads]

Sponsors: Wiener; Yee

Ordinance amending the Fire Code, Chapter 5, Section 503.4, to clarify what does not constitute an obstruction of a Fire Apparatus Access Road.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130255 [Urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to Ensure the Coordination of Street, Transit, and Utility Infrastructure]

Sponsors: Wiener; Yee

Resolution urging the Public Utilities Commission, Department of Public Works, Municipal Transportation Agency, and Planning Department to develop a clear policy for reviewing street improvement projects that overlap the jurisdiction of various agencies and for those agencies to expeditiously modernize codes, standards, regulations, and other guidelines to ensure that the City's collective public policy interests are advanced.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130256 [Urging the California State Legislature to Adopt Legislation Allowing Local Jurisdictions Greater Flexibility to Amend the Fire Code]

Sponsors: Wiener; Yee

Resolution urging the California State Legislature to adopt legislation allowing local jurisdictions flexibility to amend local fire code street width standards in order to maximize pedestrian and bicyclist safety goals.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Farrell, seconded by Supervisor Avalos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Gary Delagnes of the Police Officer's Assocation in recognition of his years of service, accomplishments, and continued community support upon his retirement.

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Valerie Coleman in recognition of her accomplishments and continued community support.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to fraud, open government, and public funds. (See additional information submitted on Page 21).
Ann Brubaker; expressed concerns relating to utility undergrounding.
Eugene Gordon, Jr.; expressed various concerns.
Patricia Vaughey; expressed concerns relating to mobile food trucks and small businesses.
Shona; spoke in support of medical marijuana and associated dispensaries.
John Ardinelli; spoke in support of medical marijuana and associated dispensaries.
Walter Paulson; shared in song certain concerns with the Board.
Douglas Yepp; expressed various concerns.
Tom O'Brien; expressed concerns relating to national security.
Male Speaker; expressed various religious concerns and national security.
Peter Warfield; expressed concerns relating to the SF Public Library.
Matthew Denny; expressed concerns relating to evictions and costs of rent.
Male Speaker; expressed concerns relating to evictions and costs of rent.
Carolyn Brown; expressed concerns relating to cuts in HIV support.
Cynthia Cruz; expressed concerns relating to public comment on amendments.
Kevin; expressed concerns relating to costs of real estate and spirit of San Francisco.
Meredith Marillo; spoke in support of PRIDE month and expressed concerns relating to discrimination.

CALLED FROM COMMITTEE

130480 [Subdivision Code - Condominium Conversion Impact Fee]

Sponsors: Farrell; Wiener, Chiu, Yee and Kim

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.
(Economic Impact)

Privilege of the floor was granted to John Malamut, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Breed, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion FAILED by the following vote:
Ayes: 5 - Breed, Cohen, Farrell, Tang, Wiener
Noes: 6 - Avalos, Campos, Chiu, Kim, Mar, Yee

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener
Noes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130590 [Supporting Military Justice Improvement Act of 2013]

Sponsors: Cohen; Avalos, Campos, Chiu, Farrell, Yee and Kim

Resolution supporting Senator Kirsten Gillbrand's Military Justice Improvement Act of 2013.

Supervisor Kim requested to be added as a co-sponsor.

ADOPTED

130591 [Supporting Assembly Bill 362 - Same Sex Couple Tax Fairness Act]

Sponsor: Farrell

Resolution in support of Assembly Bill 362 Same Sex Couple Tax Fairness Act.

ADOPTED

130594 [Urging the California State Legislature to Pass Local Control Funding Formula]

Sponsor: Mar

Resolution urging the California State Legislature to pass the Local Control Funding Formula, in the 2013-2014 California State Budget, as proposed by Governor Brown.

ADOPTED

130571 [Committee of the Whole - Report of Assessment Costs for Sidewalk and Curb Repairs]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 18, 2013, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

Motion No. M13-074

APPROVED

130595 [Committee of the Whole - Elimination and/or Reduction of Medical Services (Beilenson) - FYs 2013-2014 and 2014-2015]

Sponsor: Farrell

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 18, 2013, at 3:00 p.m., to consider the budget eliminating and/or reducing medical services provided by the Department of Public Health in the City and County of San Francisco for FYs 2013-2014 and 2014-2015, pursuant to the Beilenson Act, Health and Safety Code, Section 1442.5(a).

Motion No. M13-075

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Breed requested that File No. 130588 be severed so that it may be considered separately.

130588 [Urging the San Francisco Housing Authority Commission to Move and Video Record Meetings]

Sponsors: Campos; Avalos, Chiu, Kim and Wiener

Resolution urging the San Francisco Housing Authority Commission to move its meetings to City Hall, video record its meetings, and make all video recordings publicly accessible on its website.

REFERRED to the Neighborhood Services and Safety Committee

Supervisor Chiu requested that File No. 130593 be severed so that it may be considered separately.

Supervisor Farrell Excused from Voting

Supervisor Campos, seconded by Supervisor Kim, moved that Supervisor Farrell be excused from voting on File No. 130593. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Farrell

130593 [Designation - League of California Cities Voting Delegate and Alternate - Supervisor Mark Farrell and Treasurer-Tax Collector Jose Cisneros]

Sponsor: Farrell

Resolution designating Supervisor Mark Farrell as the League of California Cities voting delegate, and Treasurer-Tax Collector José Cisneros as the League of California Cities alternate voting delegate.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130593. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Farrell

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130527 [General Plan - San Francisco Bicycle Transportation Plan]

Sponsor: Avalos

Ordinance re-adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan; adopting modified environmental findings, and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection thereto.

05/30/13; RECEIVED FROM DEPARTMENT.

06/11/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Supervisor Avalos requested to be added as sponsor.

130528 [Planning, Environment Codes - Bicycle Parking Standards]

Sponsor: Avalos

Ordinance amending the Planning Code to revise the bicycle parking standards, allow a portion of the bicycle parking requirements to be satisfied by payment of an in lieu fee, allow automobile parking spaces to be reduced, and replaced by bicycle parking spaces, and authorize the Zoning Administrator to waive or modify required bicycle parking; amending the Environment Code to revise cross-references to the Planning Code and make technical amendments; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

05/30/13; RECEIVED FROM DEPARTMENT.

06/11/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Supervisor Avalos requested to be added as sponsor.

130529 [Settlement of Lawsuit - Paulette Adams-Irving - $350,000]

Ordinance authorizing settlement of the lawsuit filed by Paulette Adams-Irving against the City and County of San Francisco for $350,000.00; the lawsuit was filed on March 15, 2011, in San Francisco Superior Court, Case No. CGC 11-509216; entitled Paulette Adams-Irving v. City and County of San Francisco, et al. (City Attorney's Office)

05/30/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Rules Committee.

130530 [Settlement of Lawsuit - Maria Camacho - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Maria Camacho against the City and County of San Francisco for $50,000; the lawsuit was filed on March 7, 2012, in San Francisco Superior Court, Case No. CGC 12-517261; entitled Maria Camacho, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

05/30/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Rules Committee.

130568 [Administrative Code - City Contractors and Subcontractors - Consideration of Criminal History in Hiring and Employment Decisions]

Ordinance amending the Administrative Code to require that City contractors and their subcontractors not discriminate against employees or applicants based on criminal history and refrain from asking applicants about criminal history as part of their initial application for employment. (Sheriff)

06/03/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Rules Committee.

130570 [Planning Code, Zoning Map - Yerba Buena Center Mixed-Use Special Use District]

Ordinance amending the Planning Code and Zoning Map, by adding Section 249.71, to create the Yerba Buena Center Mixed-Use Special Use District (SUD) located at 706 Mission Street, Assessor's Block No. 3706, Lot No. 093 and portions of Lot No. 277, to facilitate the development of the 706 Mission Street - The Mexican Museum and Residential Tower Project by modifying specific Planning Code regulations related to permitted uses, the provision of a cultural/museum use within the SUD, floor area ratio limitations, dwelling unit exposure, height of rooftop equipment, bulk limitations, and curb cut locations; amending the Zoning Map to add the SUD and increase the height of property in the SUD from 400 feet to 480 feet; and making environmental findings and findings of consistency with the General Plan. (Planning Commission)

06/03/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

130523 [Major Encroachment - San Francisco State University - Pedestrian Tunnel Below Winston Drive]

Resolution granting a revocable permission to San Francisco State University (SFSU) to occupy portions of the public right-of-way to construct and maintain a pedestrian tunnel below Winston Drive to provide a safe and accessible connection from the main campus of SFSU to the site of a new Recreation Wellness Center; and making environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Public Works Department)

05/29/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130524 [Street Encroachment - Atlantic Richfield Company - 2 Richardson Avenue]

Resolution granting revocable permission to Atlantic Richfield Company to occupy a portion of the public right-of-way to install and maintain four soil vapor extraction conduits connecting to two new vapor extraction wells crossing under Broderick Street fronting 2 Richardson Avenue (Assessor's Block No. 0934, Lot No. 019), conditioned upon the payment of an annual assessment fee, and making environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Public Works Department)

05/29/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130525 [Street Encroachment - 1281-1283 Greenwich Street]

Resolution granting revocable permission to Jeremy Ricks to occupy a portion of the public right-of-way to extend an unimproved portion of Greenwich Street with a privately maintained driveway to provide access to a new garage at 1281-1283 Greenwich Street (Assessor's Block No. 0095, Lot Nos. 023-025); and to install additional landscaping and public access improvements within the unimproved portion of the Greenwich Street public right-of-way between Hyde and Larkin Streets, conditioned upon the payment of an annual assessment fee of $4433.00; and making environmental findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Public Works Department)

05/29/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130531 [Settlement of Claim - Travelers Insurance Company and Connie Curran - $42,876.54]

Resolution approving the proposed settlement of claim filed by Travelers Insurance Company and Connie Curran against the City and County of San Francisco for $42,876.54; claim was filed on November 15, 2011, bearing Claim No. 12-01124. (City Attorney's Office)

05/30/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Rules Committee.

130532 [Agreement Amendments - Crestwood Behavioral Health Services and Canyon Manor - $90,940,630]

Resolution approving an amendment to each of two agreements for long term mental health services in 24-hour locked facilities between the Department of Public Health and Crestwood Behavioral Health Services by $14,253,906 from $48,717,156 to $62,971,062; Mental Health Management I, Inc. dba Canyon Manor by $7,002,810 from $20,966,758 to $27,969,568. For a combined increase of $90,940,630 with an extension of the term of 18 months, for a total contract term of October 1, 2008, through December 31, 2014. (Public Health Department)

05/30/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130565 [Official Advertising - The Examiner - FY2013-2014]

Resolution designating The Examiner to be the official newspaper of the City and County of San Francisco for all official advertising for FY2013-2014. (Office of Contract Administration)

05/31/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130566 [Outreach Advertising and Neighborhood Outreach Advertising - FY2013-2014]
Resolution designating Small Business Exchange to be the outreach newspaper of the City and County for the African American, Chinese and Hispanic communities; Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual, and Transgender Community; Central City Extra to be the neighborhood outreach newspaper of the City and County for the Central City neighborhood; Northside Publications/Marina Times to be the neighborhood outreach newspaper of the City and County for the Northern San Francisco neighborhood; and West Portal Monthly to be the neighborhood outreach newspaper of the City and County for the West Portal neighborhood; to provide outreach advertising for FY2013-2014. (Office of Contract Administration)

05/31/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130569 [Lease Amendment - Oliver de Silva, Inc. - Sunol Valley Quarry Lease]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into an amendment to an existing quarry lease with Oliver de Silva, Inc., as Tenant, to add approximately 58 acres to the existing 308.5 leased premises located in the Sunol Valley, unincorporated Alameda County, with a term through the earlier of July 16, 2042, or completion of reclamation, pursuant to San Francisco Charter; adopting findings pursuant to the California Environmental Quality Act; and authorizing the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission)

06/03/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130576 [Report of Assessment Costs for Inspection and/or Repairs of Blighted Properties - Accelerated Sidewalk Abatement Program Blight Abatement Fund]
Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repairs of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Section 80, the costs thereof having been paid for out of the Accelerated Sidewalk Abatement Program Blight Abatement Fund. (Public Works Department)

06/03/13; RECEIVED FROM DEPARTMENT.

06/11/13; RECEIVED AND ASSIGNED to Board of Supervisors.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:37 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: Whenever I see another story about the misuse of taxpayer funds it makes my blood boil, especially when I think about the fcat that we never hear any resolution of these abuses. The Friends of the San Francisco Library raise millions of dollars each year in the name of the citizens of San Francisco. When we come here and point out the problems in this public/private "partnership," you just look the other way! When we point out that the City Librarian and Library Commission have been LYING, yes LYING, to the public about the financial dealines of The Friends, you look the other way! They have abused the public trust placed in them! When we point out the $181,000 of freebies given to the library staff, for them to look the other way, you just look the other way! Why don't you care about these abuses of the public trust?

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, June 18, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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18/13

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

GOVERNMENT
DOCUMENTS DEPT

JUN 24 2013

SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Special Board Meeting Minutes of March 27, 2013, April 24, 2013, and May 8, 2013, and the Board Meeting Minutes of May 14, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

130483 [Appropriation - Water Revenue Bonds for the Public Utilities Commission Calaveras Dam Project - $55,064,799; and Re-Appropriation - Water System Improvement Projects - $77,271,24 - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $55,064,799 of proceeds from San Francisco Public Utilities Commission (SFPUC) Water Revenue Bonds to fund the Water System Improvement Program (WSIP) Calaveras Dam Project and re-appropriating $77,271,241 of WSIP Project appropriations to various WSIP Projects consistent with the revised April 2013 WSIP Program Budget adopted by the SFPUC.

(Fiscal Impact)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130251 [Public Works Code - Public Improvements as Gifts]

Sponsors: Wiener; Yee

Ordinance amending the Public Works Code, by adding Section 791, to allow the Director of the Department of Public Works, subject to specified requirements, to accept certain public improvements as public gifts and dedicate such improvements to public use; and making environmental findings.

FINALLY PASSED

130252 [Administrative Code - Street Design Review Committee]

Sponsors: Wiener; Yee

Ordinance amending the Administrative Code to establish a Street Design Review Committee.

FINALLY PASSED

130253 [Fire Code - Fire Apparatus Access Roads]

Sponsors: Wiener; Yee

Ordinance amending the Fire Code, Chapter 5, Section 503.4, to clarify what does not constitute an obstruction of a Fire Apparatus Access Road.

FINALLY PASSED

Recommendations of the Rules Committee

130360 [Settlement of Claim - Bank of San Francisco - $32,246]

Resolution approving the proposed settlement of claim filed by Bank of San Francisco against the City and County of San Francisco for $32,246; claim was filed on July 17, 2012, bearing claim number 13-00117. (City Attorney's Office)

ADOPTED

130361 [Settlement of Claim - Stanford Group Company - $63,292.52]

Resolution approving the proposed settlement of claim filed by Stanford Group Company against the City and County of San Francisco for $63,292.52; claim was filed on July 25, 2012, bearing claim number 13-00190. (City Attorney's Office)

ADOPTED

130451 [Settlement of Claim - Magdaleno Rios - $50,000]

Resolution approving the settlement of the unlitigated claim filed by Magdaleno Rios against the City and County of San Francisco for $50,000; claim was filed on February 8, 2013. (City Attorney's Office)

ADOPTED

130452 [Settlement of Claim - Sharon Prieto - $40,000]

Resolution approving the proposed settlement of claim by Sharon Prieto against the City and County of San Francisco for $40,000; claim was filed on June 11, 2012, bearing Claim No. 12-02916. (City Attorney's Office)

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130365 [De-Appropriation and Re-Appropriation - Operating Budget Amendment of $5,096,000 and Capital Improvement Projects of $42,178,878 for Public Utilities Commission - FY2013-2014]

Sponsor: Mayor

Ordinance amending the adopted FY2013-2014 Appropriation Ordinance and other adopted biennial capital appropriation ordinances for the Public Utilities Commission, including $3,100,000 in de-appropriation and re-appropriation for the Hetch Hetchy Enterprise operating budget; de-appropriating $16,414,070 and re-appropriating $7,513,665 in capital projects in the Hetch Hetchy Capital Improvement Program projects; de-appropriating and re-appropriating $1,996,000 in the Water Enterprise operating budget; de-appropriating $70,955,900 and re-appropriating $55,169,000 in the in the Water Enterprise Capital Improvement Program projects; and de-appropriating $56,370,059 and re-appropriating $38,878,486 in the Wastewater Enterprise Capital Improvement Program.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

120669 [Subdivision Code - Condominium Conversion Fee]

Sponsors: Chiu; Kim, Yee and Campos

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion fee applicable to certain buildings that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery and provide an exception for certain five- and six-unit buildings to participate in the lottery; and adopting environmental findings.
(Economic Impact)

Supervisor Campos requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 3 - Farrell, Tang, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130533 [Interim Proposed Budget and Interim Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Interim Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2013, for the FYs ending June 30, 2014, and June 30, 2015.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130534 [Interim Annual Salary Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2014, and June 30, 2015, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130554 [Interim Treasure Island Development Authority Budget - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Resolution approving the Interim Budget of the Treasure Island Development Authority for FYs 2013-2014 and 2014-2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130564 [Interim Office of Community Investment and Infrastructure Budget - FY2013-2014]

Sponsor: Mayor

Resolution approving an Interim Budget of the Office of Community Investment and Infrastructure, operating as the Successor Agency to the San Francisco Redevelopment Agency, for FY2013-2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130414 [Appropriation - $1,267,985 for the San Francisco Airport Commission - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating amended estimated receipts and amended estimated expenditures of $1,267,985 for the San Francisco Airport Commission for the fiscal year ending June 30, 2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130417 [Public Employment - Amendment to the Annual Salary Ordinance, FYs 2012-2013 and 2013-2014 - San Francisco Airport Commission]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FYs 2012-2013 and 2013-2014) to reflect the addition of 32 positions (27.17 FTEs) in various job classes and delete 11 positions (11 FTEs) in various job classes for FY2013-2014 in the San Francisco Airport Commission.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130416 [Appropriation - $3,857,224 for the Port of San Francisco - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating amended estimated receipts and amended estimated expenditures of $3,857,224 for the Port of San Francisco for the fiscal year ending June 30, 2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130415 [Public Employment - Amendment to the Annual Salary Ordinance, FYs 2012-2013 and 2013-2014 - Port of San Francisco]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FYs 2012-2013 and 2013-2014) to reflect the addition of 7.0 positions (5.39 FTEs) in Class 9330 (3.85 FTEs, Pile Worker), 9331 (0.77 FTEs, Piledriver Engine Operator), and 9332 (.77 FTEs, Piledriver Supervisor I) in the Port of San Francisco in FY2013-2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130423 [Accept and Expend Grant - 2011 Port Security Grant Program Funds for Portwide CCTV and Pier 80 Security Improvements - $1,322,753]

Sponsors: Mayor; Cohen

Resolution authorizing the Port to accept and expend $1,322,753 in 2011 Port Security Grant Program funds from the U.S. Department of Homeland Security's Infrastructure Protection Program, including $919,243 for Portwide CCTV and $403,510 for Pier 80 security improvements, for the period of June 1, 2013, through June 30, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130494 [Agreements - Amending State Contract Funds - Alcohol and Drug Programs - $69,008,529]

Sponsor: Mayor

Resolution retroactively authorizing the San Francisco Department of Public Health, Community Behavioral Services, to enter into an amended Combined Net Negotiated Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2010, through June 30, 2014, in the amount of $69,008,529; implementing a Contingency Assignment of Agreement from DADP to the Department of Health Care Services (DHCS) if the FY2013-2014 Budget Act is enacted to eliminate DADP and transfer the "Non Drug Medi-Cal" Program to DHCS; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the DPH County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120125 [Planning Code - Mobile Food Facilities at Certain Institutions in Specified Districts]

Sponsor: Wiener

Ordinance amending the Planning Code, Section 205.4, to allow mobile food facilities at certain types of institutions in RH (Residential House), RM (Residential Mixed), RED (Residential Enclave), and RTO (Residential Transit Oriented) Districts, subject to specified conditions; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120193 [Public Works Code - Mobile Food Truck Facilities Locational Requirements]

Sponsor: Wiener

Ordinance amending the Public Works Code, Article 5.8, to address various locational and noticing requirements concerning mobile food facilities; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

121108 [Transportation Code - Selling or Distributing from a Vehicle Restrictions]

Sponsor: Wiener

Ordinance amending the Transportation Code, Division I, Article 7 (Violations), Section 7.2.82, to prohibit any person to park a mobile food facility vehicle in either a business district or a residential area and, from that vehicle, offer food or beverages for sale unless displaying a valid permit issued by the Department of Public Works, in a format and manner approved by the Municipal Transportation Agency.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130296 [Improvements - Mission Bay South Park P10]

Ordinance dedicating City property, within portions of State Trust Parcel 2, known as Mission Bay Park P10, lying along Mission Bay Circle and Mission Bay Drive as open public right-of-way and naming the new park Mission Bay Park P10; accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130297 [Improvements - Mission Bay Drive Extension Public Infrastructure]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with the Mission Bay Drive Extension, including acquisition facilities on Mission Bay Drive, Mission Bay Circle, and a portion of Owens Street; accepting additional property on a portion of Owens Street; declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, eight priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

130247 [Liquor License - 2342 Market Street]

Resolution considering that the issuance of a Type 48 on-sale general public premises license to Art Rodriguez and Associates for Deviate SF, Inc., dba Beaux, located at 2342-2348 Market Street (District 8), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130307 [Liquor License Transfer - 1552 Polk Street]

Resolution considering that the transfer of a Type 20 off-sale beer and wine license from 5621 Geary Boulevard to 1552 Polk Street (District 3), to Frank Slacik for Blue Fog Markets, LLC, dba the Blue Fog Market, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

130503 [Approving Appointment, Entertainment Commission - Barbara Seymour Campagnoli]

Motion approving the Mayor's nomination for appointment of Barbara Seymour Campagnoli to the Entertainment Commission, for a term ending July 1, 2014. (Clerk of the Board)

Motion No. M13-076

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130504 [Confirming Reappointment, Port Commission - Kimberly Brandon]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Kimberly Brandon to the Port Commission, for a term ending May 1, 2017.

Motion No. M13-077

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130505 [Confirming Reappointment, Treasure Island Development Authority Board of Directors - Larry Del Carlo]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Larry Del Carlo to the Treasure Island Development Authority Board of Directors, for a term ending February 26, 2017.

Motion No. M13-078

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130501 [Administrative Code - Assessment Appeals Boards - Modify Board No. 3 Membership and Function; Procedural Revisions]

Ordinance amending the Administrative Code, regarding Assessment Appeals Boards, to modify the structure of Assessment Appeals Board No. 3 to provide that the members of Board No. 3 are different than the members of Board No. 1; that the function of Board No. 3 is the same as Board No. 2; provide for staggered terms of initial Board No. 3 members; remove provisions regarding Board Members not meeting current State requirements; add a public comment timing option; and making nonsubstantive clarifying revisions. (Clerk of the Board)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen Excused from Voting

Supervisor Mar, seconded by Supervisor Campos, moved that Supervisor Cohen be excused from voting on File No. 130519. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

130519 [Appointment, Children and Families First Commission - Supervisor Malia Cohen]
Motion appointing Supervisor Malia Cohen to the Children and Families First Commission, for an indefinite term. (Clerk of the Board)

Motion No. M13-079

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to the Asian Women's Shelter in recognition of their accomplishments and continued community support on their 25th Anniversary. Supervisors Kim and Avalos shared in this commendation.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130572 [Hearing - Report of Assessment Costs - Sidewalk and Curb Repairs]

Hearing to approve the report of costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File No. 130515. Robert Quan (Department of Public Works) provided an overview of the assessments. Tanya Clemans (1567-42nd Avenue); Sensena (1001 Lincoln Way); Nicki Griner (167 Roosevelt Way); Eugene Chan (2050 Van Ness Avenue); Male Speaker (3814 Ulloa Street); Ben Hall (1120 Diamond Street); James Holtz (736 Kansas Street); Anna Anaya (1441 Plymouth Avenue); Andy Gregory (2344-15th Street); Dan Tam (337-339 Mississippi Street); Female Speaker; spoke objecting to the proposed assessments. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130515 [Report of Assessment Costs - Sidewalk and Curb Repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

Robert Quan (Department of Public Works) indicated that the following addresses be removed from the accompanying report due to recent receipt of payment: 1141 Plymouth Avenue; 2050 Van Ness Avenue; 1001-1005 Lincoln Way; 3814 Ulloa Street; 1932-1934 Jefferson; 1120 Diamond Street; 1567-42nd Avenue; 736 Kansas Street; 165-167 Roosevelt Way; 337-339 Mississippi Street; 2344-15th Street. The amendments to the accompanying report, as provided by the Department of Public Works, included in File No. 110216, were received without objection.

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130580 [Hearing - Elimination and/or Reduction of Medical Services - FYs 2013-2014 and 2014-2015]

Hearing to consider the budget eliminating and/or reducing medical services provided by the Department of Public Health in the City and County of San Francisco for FYs 2013-2014 and 2014-2015, pursuant to the Beilenson Act, Health and Safety Code, Section 1442.5(a). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to elimination and/or reduction of medical services as referenced in File No. 130580. Barbara Garcia, Director, Department of Public Health, provided an overview of the proposed elimination and/or reduction of medical services and responded to questions raised throughout the discussion. Patrick Monette-Shaw; Vivian Imperiale; Michael Smithwick (Maitri); Nicki Harris; Barbara Eglian; Sorrita Wilson; Seth Lawrence; Male Speaker; Keith Burner; Stu Smith; Emil Lawrence; Dr. Eduardo Morales (Aguilas); Eugene Gordon, Jr.; Melinda Pierson; Rachel Howard (The Women's Place); Jasmine Young; Antoinette Lattimore; Karen Malanamagon; Greg Lawler; Erick Arquello (Aguilas); Andres Contreras; Lina Sheth (API Wellness Center); Jason Davi; Nathan Manuson (API Wellness Center); Stephanie Goss; David Stupletine; Ron Hernandez; Andre Robertson (API Wellness Center); Male Speaker; Juan Davina; Hermon Vetiti; Antonio Aguilar-Karayianni; Douglas Yepp; Ebony Jones; Arcelia Gomez; Anthony Castro; Brett Jameson; Reynaldo Valdez; Kaushik Roy (Shanti); Darjeh Lomeli; Peter Masiak; Gus Feldman; Lacey Johnson; Joshua Rosen (Aguilas); Aja Monet; Beth Shreley; Courtney Mulhern-Pearson; Michael Siever; William Woods; Mike Discepola; Channing Wayne; Lala Tannenbaum; Lori Thoemmes; Benjamin Menstroso; Eric; Rebecca E. White; Monroe Rochin; Stokes (Shanti); Dena Long; Jason Davi; Vincent Gallagher; Dennis Mill; Franklin Lopez (Aguilas); Dolores Garcia (Familia La Raza); Juan Rivera; Brian DeLonge; Norma Souza; Michael Lion; Mapu Treasure; Perry Lange; Ray Hartz; Tim Byrd; Debbie Lerman; Judy Freemock; Edmund Larry; Colleen Hogue; David Elliott-Lewis; Simon Hernandez; expressed concerns relating to the proposed elimination and/or reduction of medical services referenced in the Department of Public Health FYs 2013/2014 and 2014/2015 Budget. Barbara Garcia, Director, Department of Public Health, responded to questions raised throughout the discussion and further discussed the proposed eliminations and/or reductions. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors. No further action was taken.

HEARD AND FILED

Committee of the Whole Adjourn and Report

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to open government and retroactivity of gift acceptance. (See additional information submitted on Page 17.)
Male Speaker; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Edmond Larry; shared in poem certain concerns with the Board.
Douglas Yepp; expressed various concerns relating to child pornography.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130633 [Suspending Board Rule 3.26.1 and Amending Board Rule 3.31 Extending the Joint City and School District Committee Through March 1, 2014, and Setting Monthly Meetings]

Sponsor: Kim

Motion suspending the Board of Supervisors' Rules of Order 3.26.1 to consider, without reference, an amendment to Board Rule 3.31 to extend the term of the Joint City and School District Select Committee through March 1, 2014; ordering the City and School District Select Committee meetings of the Board of Supervisors be held on the third Thursdays of each month at 3:30 p.m. in the Board of Supervisors' Chamber; and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M13-080

APPROVED

130574 [Committee of the Whole - Report of Assessment Costs for Inspection and/or Repairs of Blighted Properties - Accelerated Sidewalk Abatement Program Blight Abatement Fund]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 25, 2013, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repairs of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Section 80, the costs thereof having been paid for out of the Accelerated Sidewalk Abatement Program Blight Abatement Fund. (Clerk of the Board)

Motion No. M13-081

APPROVED

130630 [Committee of the Whole - Redevelopment Plan Amendment - Mission Bay South]
Sponsor: Kim

Motion scheduling the Board to sit as a Committee of the Whole on June 25, 2013, at 3:00 p.m., to hold a public hearing of persons interested in or objecting to the Ordinance (File No. 130458) approving an amendment to the Mission Bay South Redevelopment Plan, which modifies the land use designation for certain property to add residential as a permitted use and to increase the permitted residential density in the Plan Area, but does not increase the allocation of tax increment under a pre-existing enforceable obligation; making environmental findings under the California Environmental Quality Act; and making findings pursuant to the General Plan and Planning Code, Section 101.1(b).

Motion No. M13-082

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Kim requested that File No. 130632 be severed so that it may be considered separately.

130632 [Condemnation of the System of Sexual Enslavement During World War II]
Sponsors: Kim; Cohen, Chiu, Mar, Yee, Avalos and Campos

Resolution condemning recent statements by Osaka Mayor Toru Hashimoto claiming that the system of sex slavery utilized by Japan in occupied Asian countries from the 1930s through World War II was a military necessity and that there is no proof that the sexual servitude was involuntary and coerced by Japanese authorities.

Supervisor Kim, seconded by Supervisor Mar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130643 [Settlement of Lawsuit - Maria D'Agostino - $135,000]

Ordinance authorizing settlement of the lawsuit filed by Maria D'Agostino against the City and County of San Francisco for $135,000; the lawsuit was filed on June 15, 2012, in San Francisco Superior Court, Case No. CGC-12-521615; entitled Maria D'Agostino, et al., v. City and County of San Francisco, et al. (City Attorney)

06/10/13; RECEIVED FROM DEPARTMENT.

06/18/13; RECEIVED AND ASSIGNED to Rules Committee.

130644 [Settlement of Lawsuit - Wei Vivian Cui - $30,000]

Ordinance authorizing settlement of the lawsuit filed by Wei Vivian Cui against the City and County of San Francisco for $30,000; the lawsuit was filed on November 3, 2011, in San Francisco County Superior Court, Case No. CGC-11-515654; entitled Wei Vivian Cui v. City and County of San Francisco, et al. (City Attorney)

06/10/13; RECEIVED FROM DEPARTMENT.

06/18/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130645 [Lease Amendment - Real Property at 720 Sacramento Street - Ridgeway Apartments, Inc.- $26,980 Monthly]

Resolution authorizing the second lease amendment for approximately 9,250 square feet of space at 720 Sacramento Street, San Francisco, with Ridgeway Apartments, Inc., as Landlord, for use by the Department of Public Health at the monthly cost of $26,980 for the period of July 1, 2013, through June 30, 2018. (Real Estate Department)

06/10/13; RECEIVED FROM DEPARTMENT.

06/18/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:20 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: What has it been? A month, two at most, since members of this BOS raised a hue and cry about DA Gascon accepting $26,000 of office furniture. All sorts of issues, in an hour-long discussion, especially about accepting the gift retroactively! Then last week, you approved RETROACTIVELY $750,000 from The Friends of the SFPL! That's more than 28 times the amount accepted by the DA, and it was done with not one word of discussion. What choice did you have? Money's been spent, gifts have been given, trips have been taken, influence has been purchased, a fait accompli! At least DA Gascon reported "the gifts!" Herrera, the Library Commission, and employees of The Library have reported NONE of the gifts they accepted and you retractively approved this wholesale purchase of influence! Members of the LC lied to the public about these gifts, and you cover their tracks. How hypocrytical!

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, June 25, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

GOVERNMENT
DOCUMENTS DEPT
JUN 28 2013
SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of May 21, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

President Chiu communicated the proposed proceedings for the upcoming Supreme Court ruling relating to Proposition 8 and Defense of Marriage Act scheduled to be announced on Wednesday, June 26, 2013, at 7:00 a.m. in the rotunda. There were no other communications.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130365 [De-Appropriation and Re-Appropriation - Operating Budget Amendment of $5,096,000 and Capital Improvement Projects of $42,178,878 for Public Utilities Commission - FY2013-2014]

Sponsor: Mayor

Ordinance amending the adopted FY2013-2014 Appropriation Ordinance and other adopted biennial capital appropriation ordinances for the Public Utilities Commission, including $3,100,000 in de-appropriation and re-appropriation for the Hetch Hetchy Enterprise operating budget; de-appropriating $16,414,070 and re-appropriating $7,513,665 in capital projects in the Hetch Hetchy Capital Improvement Program projects; de-appropriating and re-appropriating $1,996,000 in the Water Enterprise operating budget; de-appropriating $70,955,900 and re-appropriating $55,169,000 in the in the Water Enterprise Capital Improvement Program projects; and de-appropriating $56,370,059 and re-appropriating $38,878,486 in the Wastewater Enterprise Capital Improvement Program.

(Fiscal Impact)

FINALLY PASSED

130414 [Appropriation - $1,267,985 for the San Francisco Airport Commission - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating amended estimated receipts and amended estimated expenditures of $1,267,985 for the San Francisco Airport Commission for the fiscal year ending June 30, 2014.

FINALLY PASSED

130417 [Public Employment - Amendment to the Annual Salary Ordinance, FYs 2012-2013 and 2013-2014 - San Francisco Airport Commission]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FYs 2012-2013 and 2013-2014) to reflect the addition of 32 positions (27.17 FTEs) in various job classes and delete 11 positions (11 FTEs) in various job classes for FY2013-2014 in the San Francisco Airport Commission.

FINALLY PASSED

130415 [Public Employment - Amendment to the Annual Salary Ordinance, FYs 2012-2013 and 2013-2014 - Port of San Francisco]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FYs 2012-2013 and 2013-2014) to reflect the addition of 7.0 positions (5.39 FTEs) in Class 9330 (3.85 FTEs, Pile Worker), 9331 (0.77 FTEs, Piledriver Engine Operator), and 9332 (.77 FTEs, Piledriver Supervisor I) in the Port of San Francisco in FY2013-2014.

FINALLY PASSED

130416 [Appropriation - $3,857,224 for the Port of San Francisco - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating amended estimated receipts and amended estimated expenditures of $3,857,224 for the Port of San Francisco for the fiscal year ending June 30, 2014.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120125 [Planning Code - Mobile Food Facilities at Certain Institutions in Specified Districts]

Sponsor: Wiener

Ordinance amending the Planning Code, Section 205.4, to allow mobile food facilities at certain types of institutions in RH (Residential House), RM (Residential Mixed), RED (Residential Enclave), and RTO (Residential Transit Oriented) Districts, subject to specified conditions; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

FINALLY PASSED

120193 [Public Works Code - Mobile Food Truck Facilities Locational Requirements]
Sponsor: Wiener

Ordinance amending the Public Works Code, Article 5.8, to address various locational and noticing requirements concerning mobile food facilities; and making environmental findings.

FINALLY PASSED

121108 [Transportation Code - Selling or Distributing from a Vehicle Restrictions]
Sponsor: Wiener

Ordinance amending the Transportation Code, Division I, Article 7 (Violations), Section 7.2.82, to prohibit any person to park a mobile food facility vehicle in either a business district or a residential area and, from that vehicle, offer food or beverages for sale unless displaying a valid permit issued by the Department of Public Works, in a format and manner approved by the Municipal Transportation Agency.

FINALLY PASSED

130296 [Improvements - Mission Bay South Park P10]

Ordinance dedicating City property, within portions of State Trust Parcel 2, known as Mission Bay Park P10, lying along Mission Bay Circle and Mission Bay Drive as open public right-of-way and naming the new park Mission Bay Park P10; accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

FINALLY PASSED

130297 [Improvements - Mission Bay Drive Extension Public Infrastructure]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with the Mission Bay Drive Extension, including acquisition facilities on Mission Bay Drive, Mission Bay Circle, and a portion of Owens Street; accepting additional property on a portion of Owens Street; declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, eight priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

FINALLY PASSED

Recommendation of the Rules Committee

130501 [Administrative Code - Assessment Appeals Boards - Modify Board No. 3 Membership and Function; Procedural Revisions]

Ordinance amending the Administrative Code, regarding Assessment Appeals Boards, to modify the structure of Assessment Appeals Board No. 3 to provide that the members of Board No. 3 are different than the members of Board No. 1; that the function of Board No. 3 is the same as Board No. 2; provide for staggered terms of initial Board No. 3 members; remove provisions regarding Board Members not meeting current State requirements; add a public comment timing option; and making nonsubstantive clarifying revisions. (Clerk of the Board)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

130533 [Interim Proposed Budget and Interim Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Interim Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2013, for the FYs ending June 30, 2014, and June 30, 2015.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130534 [Interim Annual Salary Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2014, and June 30, 2015, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130392 [Agreement Amendment - Motorola, Inc., 800 MHz - $24,000,000]

Resolution authorizing the Department of Technology to enter into the Seventh Amendment of the Citywide 800 MHz Radio System Project Agreement between the City and Motorola, Inc., to increase the contract amount to $24,000,000 for the period of September 22, 1997, through September 21, 2017. (Department of Technology)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130560 [Grant Agreement - Mission Creek Senior Community - 225 Berry Street - Not to Exceed $11,468,518]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing to execute a Local Operating Subsidy Program Grant Agreement with Mercy Housing California XX, LP, a California limited partnership, to provide operating subsidies for formerly homeless households at Mission Creek Senior Community, 225 Berry Street, for a 15 year period, in an amount not to exceed $11,468,518.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130561 [Grant Agreement - Third & LeConte Associates - 1075 Le Conte Avenue - Not to Exceed $12,974,190]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing to execute a Local Operating Subsidy Program Grant Agreement with Third & LeConte Associates, LP, a California limited partnership, to provide operating subsidies for formerly homeless households at 1075 Le Conte Avenue, for a 15 year period, in an amount not to exceed $12,974,190.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130562 [Grant Agreement - Rene Cazenave Apartments - 25 Essex Street - Not to Exceed $17,882,085]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing to execute a Local Operating Subsidy Program Grant Agreement with 25 Essex, LP, a California limited partnership, to provide operating subsidies for formerly homeless households at Rene Cazenave Apartments, 25 Essex Street, for a 15 year period, in an amount not to exceed $17,882,085.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130565 [Official Advertising - The Examiner and The San Francisco Chronicle - FY2013-2014]

Resolution designating the Examiner and the San Francisco Chronicle to be the official newspapers of the City and County of San Francisco for all official advertising for FY2013-2014. (Office of Contract Administration)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130566 [Outreach Advertising and Neighborhood Outreach Advertising - FY2013-2014]

Resolution designating Small Business Exchange to be the outreach newspaper of the City and County for the African American, Chinese, and Hispanic communities; Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual, and Transgender Community; Central City Extra to be the neighborhood outreach newspaper of the City and County for the Central City Neighborhood; Northside Publications/Marina Times to be the neighborhood outreach newspaper of the City and County for the Northern San Francisco Neighborhood; and West Portal Monthly to be the neighborhood outreach newspaper of the City and County for the West Portal Neighborhood; to provide outreach advertising for FY2013-2014. (Office of Contract Administration)

Supervisor Chiu, seconded by Supervisor Yee, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution designating Small Business Exchange to be the outreach newspaper of the City and County for the African American, Chinese, and Hispanic communities; Sing Tao Daily and the World Journal for the Chinese community; El Mensajero and El Reportero for the Hispanic community; San Francisco Bay View for the African American community; Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual, and Transgender Community; Central City Extra to be the neighborhood outreach newspaper of the City and County for the Central City Neighborhood; The Western Edition for the Western Addition Neighborhood; Potrero View for the Potrero Hill, Dogpatch, Bayview, South of Market (SOMA), and Mission Bay Neighborhoods; Northside Publications/Marina Times to be the neighborhood outreach newspaper of the City and County for the Northern San Francisco Neighborhood; and West Portal Monthly to be the neighborhood outreach newspaper of the City and County for the West Portal Neighborhood; to provide outreach advertising for FY2013-2014. (Office of Contract Administration)

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

130453 [Memorandum of Understanding - San Francisco Sheriffs' Managers and Supervisors Association - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco Sheriffs' Managers and Supervisors Association by implementing specified terms and conditions of employment for FY2013-2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130454 [Memorandum of Understanding - San Francisco Deputy Sheriffs' Association - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No.1 to the 2012-2014 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130455 [Memorandum of Understanding - Service Employees International Union, Local 1021 - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130456 [Compensation for Unrepresented Employees - City and County of San Francisco - Effective July 1, 2013]

Sponsor: Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Charter, Section A8.409, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 2013.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130272 [Zoning Map - Rezoning of 909 Tennessee Street]

Ordinance amending Zoning Map, Sheet No. ZN08, to rezone Assessor's Block No. 4108, Lot No. 036 (909 Tennessee Street) from Public to Urban Mixed Use; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Land Use and Economic Development Committee Without Recommendation

121019 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]

Sponsor: Wiener

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Kim, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to July 9, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130248 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]

Sponsors: Kim; Campos, Avalos, Mar and Yee

Ordinance amending Administrative Code, Chapter 31, to provide for appeals under the California Environmental Quality Act to the Board of Supervisors of environmental impact reports, negative declarations, exemption determinations, and determinations on modified projects; to clarify and update existing Chapter 31 procedures, including without limitation: to provide for the Planning Department or Planning Commission to approve all exemption determinations; to require the Planning Department to establish an electronic notification system; to expand noticing of exempt projects; to require new noticing when filing notices of exemption and notices of determination; to revise noticing of negative declarations and environmental impact reports for plans of 20 acres or more; to provide an expanded role for the Historic Preservation Commission; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Kim, moved that this Ordinance be CONTINUED ON FIRST READING to July 9, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130508 [General Plan - Van Ness Area Plan - California Pacific Medical Center - Cathedral Hill Campus]

Ordinance amending the General Plan, Van Ness Area Plan, in order to facilitate the development of a high density medical center at the transit nexus of Van Ness Avenue and Geary Boulevard, and reflect various elements of this use; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130509 [General Plan Maps - Urban Design Element and Van Ness Area Plan - California Pacific Medical Center - Cathedral Hill Campus]

Ordinance amending the General Plan, Map 5 of the Urban Design Element, to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 385 feet and 466 feet, respectively, for the Cathedral Hill Campus Hospital site and 265 feet and 290 feet, respectively, for the Cathedral Hill Campus Medical Office Building site; Map 1 of the Van Ness Area Plan, to designate the sites of the proposed Cathedral Hill Campus Hospital and Cathedral Hill Campus Medical Office Building as the Van Ness Medical Use Subdistrict and increase the floor area ratio to 7.5:1 for the Cathedral Hill Campus Medical Office Building site; Map 2 of the Van Ness Area Plan, to create a 230-V height/bulk district coterminous with the Hospital site; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130510 [General Plan Maps - Urban Design Element - California Pacific Medical Center - St. Luke's Campus]

Ordinance amending the General Plan, Map 4 of the Urban Design Element, to increase the height limit for the California Pacific Medical Center's St. Luke's Campus (Assessor's Block No. 6575, Lot No. 001-002, Assessor's Block No. 6576, Lot 021, and the portion of San Jose Avenue between Cesar Chavez Street and 27th Street) to 145 feet for a portion of the St. Luke's Campus Hospital site where the hospital tower will be located, and 105 feet for the balance of the Campus; Map 5 of the Urban Design Element, to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 229 feet and 285 feet, respectively, for the St. Luke's Campus Hospital site and 204 feet and 228 feet, respectively, for the St. Luke's Medical Office Building site; and adopting findings, including environmental findings, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120357 [Planning Code - Maximum Floor Area Ratios - Establishing the Van Ness Medical Use Subdistrict Within the Van Ness Special Use District - California Pacific Medical Center: Cathedral Hill Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending the Planning Code, Section 124, to allow a floor area ratio of 7.5:1 for a medical office building within the Van Ness Special Use District, Medical Use Subdistrict; amending Section 243 to include the establishment of the Van Ness Medical Use Subdistrict and associated controls; and adopting findings, including environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120358 [Planning Code - Maximum Permitted Floor Area Ratio - Establishing the Cesar Chavez/Valencia Streets Medical Use Special Use District - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending the Planning Code, by adding Section 124(l), to allow a floor area ratio of 2.6 to 1 in the Cesar Chavez/Valencia Streets Medical Use Special Use District; adding Section 249.68 to establish the Cesar Chavez/Valencia Streets Medical Use Special Use District; and adopting findings, including environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120359 [Planning Code, Zoning Map - California Pacific Medical Center: Cathedral Hill Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending the Planning Code, Zoning Map, Sectional Maps SU02 and HT02, to reflect the creation of the Van Ness Medical Use Subdistrict (Assessor's Block No. 0695, Lot Nos. 005 and 006, and Assessor's Block No. 0694, Lot Nos. 005, 006, 007, 008, 009, 009A, and 010); to allow an increase in height at Assessor's Block No. 0695, Lot Nos. 005 and 006, in order to allow for a new seismically safe hospital; and adopting findings, including environmental findings, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120360 [Planning Code, Zoning Map - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending the Planning Code, Zoning Map, Sectional Maps SU07 and HT07, to reflect the creation of the Cesar Chavez/Valencia Streets Medical Use Special Use District at the California Pacific Medical Center's St. Luke's Campus (Assessor's Block No. 6575,Lot Nos. 001 and 002, Assessor's Block No. 6576, Lot No. 021, and a portion of San Jose Avenue between Cesar Chavez Street and 27th Street); to allow increased heights in the western portion of the California Pacific Medical Center's St. Luke's Campus (all of Assessor's Block No. 6575, Assessor's Block No. 6576, Lot No. 21, and a portion of San Jose Avenue between Cesar Chavez Street and 27th Street) in order to allow for a new seismically safe replacement hospital; and adopting findings, including environmental findings, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120361 [Summary Street Vacation - Portion of San Jose Avenue Between 27th Street and Cesar Chavez Street - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance ordering the summary street vacation of a portion of San Jose Avenue, between 27th Street and Cesar Chavez Street, as shown on Department of Public Works SUR Map No. 2012-001, dated May 14, 2012; rescinding an existing encroachment permit; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq; adopting environmental findings pursuant to the California Environmental Quality Act, and findings that the actions contemplated herein are consistent with the General Plan and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120362 [Street Encroachments - Van Ness Avenue, Cedar Street, and Geary Boulevard - California Pacific Medical Center: Cathedral Hill Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Resolution granting revocable permission to the California Pacific Medical Center to occupy a portion of the public right of way on Van Ness Avenue, in order to construct and maintain a pedestrian tunnel under Van Ness Avenue (State Highway 101), to connect the new medical office building and the new hospital located at 1100 and 1101 Van Ness Avenue, respectively; to construct and maintain off-site improvements on the north side of Cedar Street, between Van Ness Avenue and Polk Street, across the street from the medical office building and on the south side of Cedar Street contiguous to the property at 1001 Polk Street (Assessor's Block No. 0694, Lot No. 004), including reconstructing and widening the existing sidewalk, installing new landscaping and reconstructing the existing roadway with pavers; and to install and maintain two 30,000 gallon diesel fuel tanks within the public right of way under Geary Boulevard, between Franklin Street and Van Ness Avenue, in order to serve the hospital at 1101 Van Ness Avenue; and making environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120363 [Land Transfer Agreement - Sale of a Portion of San Jose Avenue Between 27th Street and Cesar Chavez Street - Sutter West Bay Hospitals - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Resolution authorizing the Director of Property to execute a land transfer agreement with Sutter West Bay Hospitals, doing business as California Pacific Medical Center (CPMC), for the future conveyance by the City and County of San Francisco to CPMC of real property consisting of a portion of San Jose Avenue between 27th Street and Cesar Chavez Street; and making findings, including findings under the California Environmental Quality Act, and findings of consistency with the General Plan and Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120364 [Changing the Official Sidewalk Widths - Portions of Post Street, Geary Boulevard, Geary Street, Cedar Street, and Van Ness Avenue - California Pacific Medical Center: Cathedral Hill Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," by adding thereto Section 1596, to change the official sidewalk width of the southerly side of Post Street, starting at the southeast intersection with Franklin Street, continuing east to the southwest intersection with Van Ness Avenue; the northerly side of Geary Boulevard, starting at the northeast intersection with Franklin Street, continuing east to the northwest intersection with Van Ness Avenue; the northerly side of Geary Street, starting at the northeast intersection of Van Ness Avenue, continuing east 325 feet; both sides of Cedar Street, starting at the intersection with Van Ness Avenue, continuing east to the intersection with Polk Street; the westerly side of Van Ness Avenue, starting at the intersection with Geary Boulevard, continuing north to the intersection with Post Street; and the easterly side of Van Ness Avenue, starting at the intersection with Geary Street, continuing north to the intersection with Cedar Street; making environmental findings and findings pursuant to the General Plan and Planning Code, Section 101.1; and requiring relocation, modification, or both, of facilities affected by the sidewalk width change.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120365 [Changing the Official Sidewalk Widths - Portions of Cesar Chavez Street, Valencia Street and 27th Street - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," by adding thereto Section 1591, to change the official sidewalk width of the southerly side of Cesar Chavez Street, starting at the southeast intersection with Guerrero Street, continuing east to the southwest intersection with Valencia Street; the westerly side of Valencia Street, starting at the southwest intersection with Cesar Chavez Street, continuing south to the northwest intersection with Duncan Street; and the northern portion of 27th Street, starting at the intersection of 27th Street and San Jose Avenue, continuing west for 44.24 feet; making environmental findings, and findings pursuant to the General Plan and Planning Code, Section 101.1; and requiring relocation, modification, or both, of facilities affected by the sidewalk width change.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120366 [Development Agreement - Sutter West Bay Hospitals - California Pacific Medical Center]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance approving a Development Agreement between the City and County of San Francisco and Sutter West Bay Hospitals, for certain real property associated with the California Pacific Medical Center Long Range Development Plan, located at various locations in the City and County of San Francisco and generally referred to as the St. Luke's Campus, Cathedral Hill (Van Ness and Geary) Campus, Davies Campus, Pacific Campus, and California Campus; making findings under the California Environmental Quality Act, findings of conformity with the General Plan and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and ratifying certain actions taken in connection therewith. (Economic Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Susan Kon Yin Wong in recognition of her accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130575 [Hearing - Report of Assessment Costs for Inspection and/or Repairs of Blighted Properties - Accelerated Sidewalk Abatement Program Blight Abatement Fund]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repairs of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Section 80, the costs thereof having been paid for out of the Accelerated Sidewalk Abatement Program Blight Abatement Fund. (Public Works Department)

The President inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File No. 130576. Robert Quan (Department of Public Works) provided an overview of the assessments. Azad Anini; Male Speaker; Female Speaker; Male Speaker; Female Speaker; spoke objecting to the proposed assessments. Walter Paulson; spoke neither in support or oppostion to the proposed assessments. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130576 [Report of Assessment Costs for Inspection and/or Repairs of Blighted Properties - Accelerated Sidewalk Abatement Program Blight Abatement Fund]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repairs of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Section 80, the costs thereof having been paid for out of the Accelerated Sidewalk Abatement Program Blight Abatement Fund. (Public Works Department)

Robert Quan (Department of Public Works) indicated that the following addresses be removed from the accompanying report due to recent receipt of payment: 1750 La Salle Avenue; 2953-22nd Street; 285 Saint Charles Avenue; 1480 Newcomb Avenue; 2845 Cesar Chavez Street. The amendments to the accompanying report, as provided by the Department of Public Works, included in File No. 130576, were received without objection.

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130526 [Hearing - Redevelopment Plan Amendment - Mission Bay South]

Hearing of persons interested in or objecting to the Ordinance approving an amendment to the Mission Bay South Redevelopment Plan, which modifies the land use designation for certain property to add residential as a permitted use and to increase the permitted residential density in the Plan Area, but does not increase the allocation of tax increment under a pre-existing enforceable obligation; making environmental findings under the California Environmental Quality Act; and making findings pursuant to the General Plan and Planning Code, Section 101.1(b). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 130458. Catherine Reilly (SF Redevelopment Agency) and Tiffany Bohee (Office of Community Investment and Infrastructure); provided an overview of the project and responded to questions raised throughout the discussion. John Ballesteros; Ian Lewis; Corinne Woods; Mike Theriault; Male Speaker; Male Speaker; expressed various concerns relating to the project. Walter Paulson; spoke neither in support or oppostion to the proposed assessments. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Recommendation of the Land Use and Economic Development Committee

130458 [Redevelopment Plan Amendment - Mission Bay South]

Sponsor: Mayor

Ordinance approving an amendment to the Mission Bay South Redevelopment Plan, which modifies the land use designation for certain property to add residential as a permitted use and to increase the permitted residential density in the Plan Area, but does not increase the allocation of tax increment under a pre-existing enforceable obligation; making environmental findings under the California Environmental Quality Act; and making findings pursuant to the General Plan and Planning Code, Section 101.1(b).

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMITTEE REPORT

130624 [Resolution of Intention - Expenditure Plan, Revenue Bond - 1239 Turk Street (Rosa Parks II Senior Housing) - Not to Exceed $30,000,000]

Sponsor: Breed

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $30,000,000 for 1239 Turk Street (Rosa Parks II Senior Housing); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $30,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

This item was not sent as a Committee Report.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to the SF Public Library.
Aja Monet; spoke regarding the opening of a CVS Pharmacy.
Steven Edwards; spoke regarding utility undergrounding.
Walter Paulson; shared in song certain concerns with the Board.
Adrian Semey (Local 22); expressed concerns relating to America's Cup.
John DiDonna; shared in poem certain concerns with the Board.
John; expressed various religious concerns and support for FEMA.
Brian Sang; spoke regarding mental health services.
Stephanie Hockman; spoke regarding mental health services.
Dale Milfay; spoke regarding mental health services.
Susan Bronstein; spoke regarding mental health services.
Barbara Redfield; spoke regarding mental health services.
Marion Vogue; spoke regarding mental health services.
Ray Hartz; expressed concerns relating to the SF Public Library and negligence in their oversight. (See additional information submitted on Page 19.)
Reverend Paul Jones; spoke regarding mental health services.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130518 [Final Map 7277 - 3559-3561A 17th Street and 28 Dolores Terrace]

Motion approving Final Map 7277, a Five Residential Unit Condominium Project, located at 3559-3561A 17th Street and 28 Dolores Terrace being a subdivision of Assessor's Block No. 3578, Lot No. 069, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-083

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File No. 130629 be severed so that it may be considered separately.

130629 [Supporting the Health Service System to Establish Full Quality and Cost Transparency in the Public Interest]

Sponsors: Farrell; Chiu and Campos

Resolution supporting the Health Service System for participating in the establishment of multi-payer databases that can be used to evaluate and improve the quality and cost of care and resolving to pass legislation to establish full quality and cost transparency in the public interest.

Supervisor Campos requested to be added as a co-sponsor.

REFERRED to the Budget and Finance Committee

ADDENDUM

The following information is provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: City Librarian Luis Herrera and the Library Commission, led by Jewelle Gomez, have been negligent in their oversight of The Friends of the San Francisco Public Library. An examination of documents provided at Library Commission meetings shows that they have simply allowed "The Friends" to "self-report" regarding more than $60 million raised and expended in the name of the citizens of San Francisco. It is my belief that this "private public partnership" will be reviewed by the Civil Grant Jury, and eventually by a Civil Jury of 123 San Franciscans. In a typical year "The Friends" raises approximately 4 to 4.5 million dollars, spends another 2 to $2.5 million from reserves, and the citizens of this City benefit to the tune of less than $400,000! I will admit these are rough estimates, given that Luis Herrera has unlawfully withheld public records disclosable under the Sunshine Ordinance and the CPRA.

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